

R. Thompson and Ralph S. Warner to their former positions as members of the Metropolitan Police Department; to the Committee on the District of Columbia.

By Mr. RAYBURN:

H. R. 2262. A bill for the relief of Pauline Jenkins and Mabel Daugherty; to the Committee on Claims.

H. R. 2263. A bill for the relief of Loyd Bates; to the Committee on Claims.

By Mr. ROMJUE:

H. R. 2264. A bill for the relief of Evelyn Gurley-Kane; to the Committee on Claims.

H. R. 2265. A bill granting a pension to Louise Kerner; to the Committee on Invalid Pensions.

By Mr. SNYDER:

H. R. 2266. A bill granting an increase of pension to Mary E. Wetmiller; to the Committee on Invalid Pensions.

H. R. 2267. A bill granting an increase of pension to Georgiana K. Griest; to the Committee on Invalid Pensions.

H. R. 2268. A bill granting a pension to John William Marshall; to the Committee on Invalid Pensions.

H. R. 2269. A bill granting an increase of pension to Mame D. Reed; to the Committee on Invalid Pensions.

By Mr. SUTPHIN:

H. R. 2270. A bill for the relief of S. H. Brown and M. Brown, also known as the Universal Steamship Co., a Georgia corporation, to cover the loss of their bark *Brown Brothers* destroyed by a German raider during the World War; to the Committee on War Claims.

H. R. 2271. A bill granting a pension to Kenneth A. Cranmer; to the Committee on Pensions.

H. R. 2272. A bill for the relief of M. Brown and S. H. Brown; to the Committee on War Claims.

H. R. 2273. A bill providing a pension for Lizzie May Wilbur Clayton; to the Committee on Invalid Pensions.

By Mr. VAN ZANDT:

H. R. 2274. A bill granting a pension to Lydia Frances Nyman; to the Committee on Invalid Pensions.

By Mr. VINCENT of Kentucky:

H. R. 2275. A bill granting a pension to Luther Skaggs; to the Committee on Pensions.

H. R. 2276. A bill granting a pension to Laura C. Clarke; to the Committee on Invalid Pensions.

H. R. 2277. A bill to confer jurisdiction on the Court of Claims of the United States to hear and determine the claims of Rock Spring Distilling Co., and for other purposes; to the Committee on Claims.

H. R. 2278. A bill for the relief of Carl Hurt; to the Committee on Claims.

H. R. 2279. A bill granting an increase of pension to Dena Phillips; to the Committee on Invalid Pensions.

By Mr. WOLCOTT:

H. R. 2280. A bill granting a pension to Ida Carter; to the Committee on Invalid Pensions.

H. R. 2281. A bill granting a pension to Gussie Gates; to the Committee on Pensions.

H. R. 2282. A bill granting a pension to Margaret Fonda; to the Committee on Invalid Pensions.

H. R. 2283. A bill for the relief of the estate of Elizabeth Purtill O'Brien; to the Committee on Claims.

H. R. 2284. A bill granting a pension to Richard J. Huss; to the Committee on Pensions.

H. R. 2285. A bill granting a pension to Maud Patterson; to the Committee on Pensions.

H. R. 2286. A bill for the relief of Wasyl Kulmatycki; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

77. By Mr. CASE of South Dakota: Resolution unanimously adopted by the Retail Merchants Association of South Dakota at a meeting on December 15, 1938, urging a change in the present method of surplus commodity distribution, and recommending some plan similar to the 1934 program of

relief distribution be adopted; to the Committee on Appropriations.

78. By Mr. CONNERY: Petition of citizens of Massachusetts, protesting against the supplying of war and other materials to Japan by American manufacturers; to the Committee on Foreign Affairs.

79. By Mr. KEOGH: Petition of the Loyal Order of Moose, Borough Hall Lodge, No. 222, Brooklyn, N. Y., concerning Dies investigating committee; to the Committee on Rules.

80. By Mr. KINZER: Petition of the citizens of Drumore, Lancaster County, Pa., to promote the general welfare of the people of the United States by abolishing the great advertising campaign for the sale of alcoholic beverages now going on by press and radio; to the Committee on the Judiciary.

81. By Mr. KEOGH: Petition of the Walnut Hall Realty Corporation, New York City, concerning the Patman chain-store bill; to the Committee on Ways and Means.

82. By Mr. PFEIFER: Petition of the Loyal Order of Moose, Borough Hall Lodge, No. 222, Brooklyn, N. Y., urging continuance of the Dies committee; to the Committee on Rules.

83. Also, telegram from the American Federation of Musicians, Local 802, New York City, urging support for adequate appropriations for the arts and Federal theater projects in New York City; to the Committee on Appropriations.

84. By Mr. RICH: Petition of citizens of Williamsport and Lycoming County, Pa., favoring the policy of neutrality as enunciated in the act of August 31, 1935, and also the act of May 1, 1937, etc.; to the Committee on Foreign Affairs.

85. Also, petition of citizens of Williamsport, Pa., and other towns in Lycoming and Clinton Counties, Pa., favoring the so-called retain chain store tax bill; to the Committee on Ways and Means.

86. By Mr. SCHIFFLER: Petition of the Catholic Daughters of America, Court Carroll, No. 299, Wheeling, W. Va., urging the continuation of the Dies committee, unhampered and well financed; to the Committee on Rules.

87. Also, petition of the Purity Council, No. 62, Daughters of America, Weirton, W. Va., opposing any action that will suspend the present immigration laws thus permitting the free influx of political refugees without compliance with the laws requiring ability to maintain themselves and also setting aside the quota provisions of the present laws; and urging the cancelation of the naturalization papers of those naturalized citizens who are members of groups spreading un-American activities; and opposing the adoption of any measures proposing to change the present established quotas and regulations now in effect in connection with the admission of aliens; to the Committee on Immigration and Naturalization.

88. By the SPEAKER: Petition of the Military Order of the Loyal Legion of the United States, Philadelphia, Pa., petitioning consideration of their resolution with reference to fingerprinting of all persons in the United States; to the Committee on the Judiciary.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 11, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

*O give thanks unto the Lord; for He is good; for His mercy endureth forever.*

Heavenly Father, at the altar of prayer we give Thee praise and our humble devotion. Thou who art so abundant in wisdom, help us to live by our higher natures. Inspire this day by Thy holy presence that our labors may conform to the precepts of the Teacher of Nazareth. Thou who dost breathe upon the cloud, lifts the mist and reveals the shore line to the courageous mariners, give clearness of vision and show the truth to all who seek it. May the power of the Most High God move among all the peoples of the earth and let His glory fill the whole world. We beseech Thee to remember the sick. However cold the day, weak the

hand, or dim the sky, be with them as an angel of light in their presence. In the blessed name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### EXTENSION OF REMARKS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by printing a radio address by the Honorable WILLIAM B. BANKHEAD, delivered on December 25, 1938, on the Reconciliation Hour, under the auspices of the United States News.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent that at the conclusion of the special order today I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. MARTIN]?

There was no objection.

#### HOOR OF MEETING

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 a. m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand the program is to start consideration of the relief bill tomorrow morning at 11 o'clock.

Mr. RAYBURN. That is correct.

Mr. MARTIN of Massachusetts. What is the understanding as to the debate?

Mr. RAYBURN. The gentleman from Virginia will propound the unanimous-consent request in reference to hours of debate and control of time.

Mr. MARTIN of Massachusetts. The purpose is to come in early because it is desired that the legislation be passed this week?

Mr. RAYBURN. The request of the gentleman from Virginia will be that general debate be limited to not more than 10 hours.

Mr. MARTIN of Massachusetts. When is it expected we will arrive at a vote?

Mr. RAYBURN. I understand it is agreeable to the members of the Appropriations Committee on both sides that general debate shall run until not later than 2 p. m. Friday, at which time we will begin the reading of the bill.

Mr. TABER. Will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from New York.

Mr. TABER. As I understood it, we are to meet also at 11 o'clock on Friday?

Mr. RAYBURN. If the present request is agreed to, I shall immediately ask that when the House adjourns tomorrow it adjourn to meet at 11 o'clock on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

#### HOOR OF MEETING FRIDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet at 11 o'clock a. m. on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

#### GENERAL DEBATE ON RELIEF BILL

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that it shall be in order at any time after it is reported to the House to consider the joint resolution making additional appropriations for work relief and relief for the fiscal year ending June 30, 1939; that all points of order against said joint resolution shall be considered as waived, and that general debate on the said resolution shall be confined to the joint resolution and shall conclude not later than

2 p. m. Friday, that the time shall be controlled one-half by the gentleman from Colorado, Mr. TAYLOR, and one-half by the gentleman from New York, Mr. TABER.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. TABER. Mr. Speaker, reserving the right to object, I understood we were going to run along on Thursday as long as there was anyone who cared to talk; so that if we are unable to meet our situation within the 10 hours we can run along on Thursday until we exhaust the demands for time. I do not anticipate it will require more than the 10 hours, but that is the understanding I thought we had yesterday.

Mr. WOODRUM of Virginia. The gentleman understands we will not begin reading the bill until 2 o'clock Friday?

Mr. TABER. That is right, the debate to run not beyond 2 o'clock on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

Mr. TABER. Mr. Speaker, the points of order that would be waived would be these: There is no legislative authorization for any of the funds that are in the bill and, therefore, coming from the Appropriations Committee that point would have to be waived, and also with reference to the Civil Service Commission that is involved in the bill, and that sort of thing. Those are the only two items I know of that would be subject to a point of order. I have had some questions asked since the request was put, therefore I thought that ought to be explained. That is the way the gentleman understands it?

Mr. WOODRUM of Virginia. That is my understanding. Of course, we can secure a rule if it is necessary to do so.

Mr. MAPES. Mr. Speaker, reserving the right to object—

The SPEAKER. Has the gentleman from New York [Mr. TABER] concluded?

Mr. TABER. For the moment.

Mr. MAPES. Mr. Speaker, supplementing what the gentleman from New York [Mr. TABER] has stated, I assume this waiver of points of order is confined to the provisions of the bill as reported by the committee and does not apply to amendments offered on the floor of the House.

Mr. WOODRUM of Virginia. That is right.

Mr. MAPES. Any amendments offered on the floor will be subject to the rules and such points of order will not be waived?

Mr. WOODRUM of Virginia. That is my understanding.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object for the purpose of asking a parliamentary inquiry, does that mean then this bill will be interpreted as an appropriation bill or a joint appropriation legislative bill, to which legislative amendments will be in order?

The SPEAKER. In answer to the parliamentary inquiry of the gentleman, the Chair may state that any amendment that may be proposed will be subject to legitimate points of order and subject to all the rules and precedents in that connection.

Is there objection?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, during the last session I objected continuously to the waiving of points of order of this kind. However, nothing can be gained here by objecting because this is legislation that should come up in some form or another, so I shall not object. In the future, however, I shall object to the general proposition of waiving points of order by unanimous consent, because if we are going to operate under the rules of the House in the consideration of bills we should operate generally under those rules.

The SPEAKER. The Chair hears no objection to the request of the gentleman from Virginia.

#### EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a radio



address of my own in the form of a colloquy between myself and Professor Winkler, of City College.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a speech delivered over the Columbia Broadcasting System last evening by the Honorable JOSEPH W. MARTIN.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I have asked for this time simply to refer to a request I am about to make. I understand, of course, that since we are beginning the consideration of the relief bill tomorrow we do not want any extraneous talk. However, the gentleman from Connecticut [Mr. MILLER] would like to have 5 minutes tomorrow to speak on the three hundredth anniversary of the adoption of the Fundamental Order. I therefore ask unanimous consent, Mr. Speaker, that the gentleman from Connecticut [Mr. MILLER] may be permitted to address the House for 5 minutes tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, a day or two ago I got permission from the House to insert in the RECORD a statement I made before the committee investigating the Tennessee Valley Authority. In that statement there is included a small chart, which has already been printed, and the Government Printing Office has the plate. I ask unanimous consent that I may include that chart in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 45 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I call attention to the big headlines in the papers, "United States Debt Past \$39,000,000,000," and ask the Members of the House the question, Where are you going to get the money? [Applause.]

#### EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a statement I made before the Committee for Reciprocity Information in connection with the negotiation of a reciprocal-trade agreement with Cuba, at a hearing held in Washington, D. C., on January 4, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The SPEAKER. Under a previous special order, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 25 minutes.

IS THE PREVIOUS RECORD OF THE ATTORNEY GENERAL SUCH AS TO SHOW THAT HE WILL PROTECT THE CITIZEN IN THE EXERCISE OF HIS CONSTITUTIONAL RIGHTS?

#### TRIBUTE TO THE SPEAKER OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, on the 3d of this month those of us who were present in this Chamber had the rare privilege of hearing one of the most concise, eloquent, and patriotic declarations of loyalty to nation and country, of a

desire to serve faithfully and patriotically, that can be found in the history of our Nation.

No one listening to the obviously sincere words of our beloved Speaker, just elected for the third time to preside over this body, could fail to realize that, while ever faithful to his party, we of the minority were assured that during the coming session, as in the past, his decisions on questions which may be presented to him, his treatment of minority Members during the trying days that are sure to come, will be fair and impartial, at all times tempered with kindness and consideration.

It is well that we express our appreciation of the fact, of which we are all aware, that here in this body the presiding officer, while mindful of party demands and political opposition, will always have as his ultimate goal the welfare of our people.

Although speaking only for myself, it is undoubtedly true that we on this side of the Chamber who have been here during previous sessions know—and all new Members will soon realize—that we have in the chair a man who can and will hew to the line rigidly, but kindly; one who knows how to rule with an iron hand, but whose gentleness forces us to accept his decisions without bitterness.

We have as our Speaker during this session a man who might well serve as an example and pattern of what executive officers should be.

We have in the Speaker's chair a man who has many warm personal friends, personal and political; a Democrat who believes in the principles of the Democratic Party; who undoubtedly desires to advance in every possible legitimate way his party's fortune; a man who, when the political opposition may be in a position to press some strategic advantage under the rules, will be quick to see and appreciate the political danger.

But we have as our Speaker a man who we know, whatever the demands of personal or political friendship, whatever the opportunity for party advantage, will always give life and force to the spirit, as well as to the letter, of the rules and precedents which govern the proceedings of this body.

To no man in greater degree do I give respect for his ability, his industry, his courtesy, and his patriotism.

I salute our Speaker as the example of what all executive officers should be. [Applause.]

#### SPEAKER BANKHEAD AS AN EXAMPLE FOR PRESIDENT ROOSEVELT IN MAKING HIS APPOINTMENTS

I point to him as one whose qualifications for and whose actions in office the President of this Republic might well ascertain, consider, and list and use as the determining factors when he is required to appoint men to official positions.

Unfortunately, some of those recently appointed to high official positions, when compared to our Speaker, present such a contrast that the outlook is not only unpleasant but discouraging and makes me fearful of the future.

The lack of qualifications of Harry Hopkins for the position to which he has been appointed, his statements indicating that he is extremely dissatisfied with many of those methods which in the past have assisted us in our onward march, his apparent utter inability to understand and appreciate where tax money comes from and how it is obtained by those who furnish it are matters of national concern with which the Senate will undoubtedly deal.

The appointment of Frank Murphy as Attorney General is not only of interest to the people of the Nation but is of the greatest concern to the people of Michigan.

The Washington papers of Saturday morning carried the information that the new Attorney General had ordered the Department of Justice to investigate and, if evidence was found, to proceed against those who were engaged in subversive, un-American activities.

#### FRANK MURPHY HAS LEFT BEHIND HIM A RECORD OF HIS OFFICIAL LIFE KNOWN TO THOUSANDS

Frank Murphy has left behind him in Michigan a record of his official life. It is there well known to hundreds of thousands of citizens that he is a partisan; that during the last campaign, in which he was defeated for Governor, he

received the open and the enthusiastic support of a large and powerful group which has openly been engaged in un-American activities.

It is well known to hundreds of thousands of Michigan citizens that during the last campaign Frank Murphy, as candidate for Governor, ignored the facts and made many misleading statements as to his activities in the sit-down strikes.

It therefore becomes my duty, a duty which cannot be shirked, which cannot be ignored, to point out from the floor of this House some of the undisputed facts disclosed by the record and to propound to the supporters of the Attorney General, as well as to him, a few inquiries.

Let us consider first the office of Attorney General, its duties, its responsibilities. Then let us ascertain the duties imposed upon an executive officer—for example, a mayor of a great city, the Governor of Michigan—for Frank Murphy has held both of these offices, and his new duties are somewhat similar to those imposed upon him in his prior official positions; and then from the manner in which he performed his prior duties ascertain, if we may, his qualifications for his present position.

THE DUTIES AND RESPONSIBILITIES OF AN ATTORNEY GENERAL  
*The Department of Justice*

The Department of Justice is 1 of the 10 great divisions among which the functions of our Government are divided. That it function efficiently, fairly, within the limits of, and in accordance with, the provisions of our Federal Constitution is essential if this Nation is to endure.

The officers of the Department of Justice, under the direction of the Attorney General, are charged with the duty of the investigation of all of the official acts, records, and accounts of United States marshals, attorneys, and clerks of the United States courts.

The officials of the Department of Justice, under the direction of the Attorney General, are charged with the duty of giving of opinions and rendering all services requiring the skill of persons learned in the law which are necessary to enable the President and the heads of the departments and bureaus and other officers in the departments to discharge their respective duties.

They are charged, in behalf of the United States, with the duty of procuring evidence, with the conduct, prosecution, and defense of all suits and proceedings in the Supreme Court and the Court of Claims in which the United States or any officer thereof, as such an officer, is a party or may be interested.

The Department is charged with the duty of giving advice to the War and Navy Departments.

Upon the Department of Justice rests the duty of giving to the President of the United States, to the heads of the departments, to the Army and to the Navy, to all Federal officers who may seek it, that legal advice and counsel which will promote the welfare of our country, render secure the liberty of the citizen.

The Attorney General is the head of the Department of Justice. All in it are subject to his control and direction. The Attorney General is charged with the duty, upon request, of giving legal advice to the President of the United States. He is the President's official legal adviser. He it is who is charged with advising the President as to the validity of our laws, as to whether they apply in particular cases and as to the effect of the application of those laws.

THE NECESSARY QUALIFICATIONS OF AN ATTORNEY GENERAL

It then can be readily seen that in the office of the Attorney General there should be a man of profound legal learning, with a wide legal experience; a man who has, in proportion to his income, a substantial and a material interest in his country; a man who believes sincerely and unwaveringly in the fundamental law of the land—the Constitution; a man who not only has the ability but who is willing to give force to and to make alive those principles founded in the Constitution and in the laws of our Nation which make secure to our citizens their freedom and their liberty.

MURPHY CONCEDED TO BE PERSONALLY HONEST, SINCERE, ETC.

For the purpose of the moment, let us concede without any mental reservations that Frank Murphy is a decent, sincere American citizen, naturally disposed to be kind and charitable; that he attends church faithfully and with regularity; that he is religious; that it is his purpose by his private and official conduct to promote the welfare of his State and Nation, to bring prosperity and happiness to the individual citizen.

In short, let us accord to him all of those admirable qualities which each of us claims for himself. Then let us turn to his official record, the record of what he has done, as distinguished from what he has said, for it is still true that "by their works ye shall know them."

OWNERSHIP OF PROPERTY AND PAYMENT OF TAX DESIRABLE QUALIFICATIONS OF PUBLIC OFFICIAL

While material wealth, the ownership of property, or contributions by way of tax are not necessary qualifications for this office, nevertheless, where there are so many well-qualified citizens for a position, those who have demonstrated by their acts, as distinguished from their words, their desire to be a part of and to contribute to the maintenance of the Government should, other things being equal, be preferred for high official positions.

DOES MURPHY OWN PROPERTY OR PAY TAXES IN MICHIGAN?

There are those on this floor who will speak in behalf of Frank Murphy and who will point out his qualifications for this office. When they do so speak, let them tell us whether Frank Murphy now owns or ever has owned real estate in the city, the county, or the State from which he hails; and if he does, let them give us a reference to the office of the register of deeds where that information can be found.

If Frank Murphy has ever paid a township, school, city, county, or State tax in the State of Michigan, let us place in the RECORD to whom paid and the amount of such payment.

If Frank Murphy has ever paid a tax under the Social Security Law, let us have that information. Let us be advised of his achievements during the time that he was not on the public pay roll—city, State, or Nation—from the time of his graduation from the university down to the present time.

DID MURPHY RECEIVE A SALARY AS HIGH COMMISSIONER WHILE CAMPAIGNING FOR GOVERNOR IN MICHIGAN?

Let these questions be answered:

Was he not appointed Commissioner of the Philippine Islands at a salary of \$18,000 per year?

Did he not on May 13, 1936, or shortly prior thereto, resign as High Commissioner to the Philippines, effective December 31, 1936?

Did he not, on May 13, 1936, sail from Manila, go to Japan for a tour of that country, and land at San Francisco on June 4, 1936, and, on July 9, 1936, announce that he had resigned his post in the Philippines to become a candidate for Governor of Michigan?

Did he not, on or about July 20, 1936, addressing a meeting of Democratic county chairmen, discuss the reasons which he said induced him to relinquish a lucrative position as High Commissioner to the Philippines to enter the political arena in Michigan?

Did he not, at Ironwood, Mich., on August 25, 1936, say?—

Why did I give up a great international post, \* \* \* the best paid diplomatic post under the stars, \* \* \* to seek an office where the salary is less than a sixth as much?

The salary of the Governor is \$5,000 per year, plus \$5,000 for his own use, for which he is not required to make an accounting.

Did he, on August 27, 1936, at Menominee, Mich., state in substance that he "didn't consider he had made any sacrifice in giving up a salary of about \$35,000 a year as High Commissioner of the Philippines to seek the governorship"?

Frank Murphy, as a matter of fact, received as salary as Commissioner to the Philippines from January 1, 1936, to and including September 4, 1936, \$12,200.

He received a salary as Commissioner to the Philippines while he was absent from his post campaigning in Michigan.



His name went off the pay roll as High Commissioner on September 4, 1936, and after the election went back on the pay roll on November 4, 1936. This information is furnished by the Acting Comptroller General.

Between November 4, 1936, and December 31, 1936, after he had been elected Governor, he received as salary as High Commissioner to the Philippines \$2,850. And was he not, during practically all of that time, vacationing in Coral Gables and Miami, Fla., and Habana, Cuba?

Did not the War Department, on February 10, 1936, ask for an appropriation from Congress for \$161,000 for the salary and expenses of High Commissioner Frank Murphy for the year 1936?

Has he a home in Michigan other than at a hotel at 415 Burns Drive, Detroit?

The foregoing questions are asked because it was charged during Murphy's campaign by a newspaper printed at Plymouth, Mich., that the answers were in the affirmative. It is unjust to permit these charges to remain unanswered. The truth should be known.

#### MURPHY'S RECORD AS A LAWYER, AS A JUDGE

Frank Murphy is a graduate of the University of Michigan—of the law department of that great university. Will his friends kindly place in the RECORD a statement of his achievements as a lawyer, showing his connection with any litigation which entitles him to distinction over and above the average lawyer of a small town?

He was elected and served as judge of the recorder's court of the city of Detroit. As a judge, Frank Murphy served with no less, no greater, distinction than the average recorder's judge.

Thereafter he was elected and served as mayor of the city of Detroit, and still later was chosen by the people and served as their Governor during 1937 and 1938.

#### HIS RECORD AS MAYOR AND GOVERNOR MAY SHOW WHAT HE WOULD DO AS ATTORNEY GENERAL

As the duties of a mayor and a Governor are similar in character, the one being the head of the city, the other of the State, let us look with some degree of particularity at the duties of a Governor, for his record as Governor and mayor, as a law-enforcing officer, may well indicate what he will attempt to do as Attorney General, charged with the interpretation of the law and the duty of determining whether United States marshals and attorneys are faithfully enforcing the law.

#### AS MAYOR OF DETROIT

He was mayor of Detroit from 1930 to 1933, resigning in May of 1933.

While Murphy was mayor and on March 7, 1932, at 1 o'clock in the afternoon, a group of Communists, only a small percentage of whom were ex-Ford employees, gathered on Fort Street in the city of Detroit to march to Dearborn to present a petition concerning unemployment relief for laid-off Ford workers.

The Unemployed Council of Detroit and the Auto Workers Union, according to the press, issued the following joint statement as to the demands of this group:

The marchers simply proposed to present the following demands for relief from the Ford Motor Co. out of the millions of profit Ford has ground out of their lives in the past year:

Jobs for all laid-off Ford workers; immediate payment of 50 percent of full wages; 6-hour day without pay reduction; slowing down of speed-up; two 15-minute rest periods; free medical aid in Ford hospital for Ford workers; no discrimination against Negroes; 5 tons of coke or coal; abolition of the company police; no foreclosures on homes of former Ford workers, Ford assuming responsibility for all mortgages; immediate payment of a lump sum of \$50 winter relief; full wages for part-time workers; and the right to organize.

The assembling place for the group which was to march on Dearborn to press the foregoing demand was Fort Street. Some 70 Detroit police were assigned to watch this crowd. But although many of its members were disorderly and the placards displayed carried statements violent in character, and although it was charged there was no permit for the assemblage, the police did not interfere in any manner.

In fact, the mayor, Murphy, according to the Detroit News for March 15, 1932, made the statement:

Your parade was without permit, in violation of the city ordinance, and yet we had police there to protect you and everyone else.

Some 1,200 persons started from Fort Street to march through the city of Detroit to Dearborn and by the time the parade reached the Detroit city limits the crowd numbered some 2,500.

At the Dearborn city limits they were met by 30 Dearborn police, who asked if they had a permit. They had no permit to march into Dearborn and the Communist leader asserted that they did not need one and attempted to proceed on their march.

Evidently the Dearborn police had asked for aid from the Detroit police and District Inspector William Black of Detroit sent a detail of his force to the Ford plant in Dearborn, they apparently arriving before the marchers had reached that point.

The Dearborn police force attempted to stop the marchers with tear gas, but the Communists attacked them with stones and clubs and proceeded on their way to the Ford plant.

Upon their arrival at the Ford plant, those Communists were met by police who turned the fire hose upon them. The Communists then fired upon the police and the fire was returned by the police.

This march, organized and carried on by Communists, lawless armed forces, began by a disorderly assemblage of persons in the city of Detroit. They marched through the city of Detroit, apparently without a permit, breathing threats of violence and, according to Frank Murphy's own statement, as published in the paper at the time, "We had police there to protect you and everyone else."

They descended upon the Ford plant, apparently assuming that it was unprotected. When their passage was disputed at the gates of the Ford plant, they began the battle with stones and clubs and then with firearms.

#### FOUR MEN KILLED, TWENTY-EIGHT INJURED

Joseph York, Joe DeBlasio, Coleman J. Leny, and George Bussell were killed.

Dearborn Policemen Dewey Roberts, Charles Slamen, Paul Papke, Reuben Orr, and Albert Wiggins, and Fire Chief Roy Mottesheard, and Harry Bennett of the Ford plant, were injured.

Ignatz Blazwski, Jame Latent, John Collins, World Wide photographer, John Avadisoff, Nick Cassatta, Joseph Otiveskiewicz, Eugene Macks, Matthew Palkins, Robert Dorn, Andrew Sylwestraowicz, Thomas Jones, Peter Tupek, Harry Cruden, Jack McLeod, Michael Supink, Karinig Assodorian, Abe Atamian, and David Gray were shot but not fatally injured. Three others were injured.

#### MURPHY'S DUTIES AS GOVERNOR

Murphy was elected Governor of Michigan and he upheld his right hand and before God took the following oath:

I do solemnly swear that I will support the Constitution of the United States and the constitution of this State, and that I will faithfully discharge the duties of the office of Governor of the State of Michigan according to the best of my ability.

#### Under State Constitution

He having sworn that he would support the Constitution, not only of the United States but of the State of Michigan, let me quote a few provisions from the State constitution.

Section 6 of article II of the Declaration of Rights contains this language:

The military shall in all cases and at all times be in strict subordination to the civil power.

Section 10 reads in part as follows:

The person, houses, papers, and possessions of every person shall be secure from unreasonable searches and seizures.

Section 16 has these words:

No person shall \* \* \* be deprived of life, liberty, or property without due process of law.

Section 3 of article VI provides:

The Governor shall take care that the laws be faithfully executed.

*Under Federal Constitution*

The Federal Constitution was established to, among other things—

Insure domestic tranquillity, \* \* \* secure the blessing of liberty to ourselves and our posterity.

The Constitution by the fifth amendment provides that—

No person shall \* \* \* be deprived of life, liberty, or property without due process of law.

Frank Murphy took an oath that he would, as Attorney General of the United States—

Support and defend the Constitution of the United States against all enemies, foreign and domestic.

That he would "bear true faith and allegiance to the same."

*MURPHY KNEW THE LAW*

Frank Murphy was a graduate of the University of Michigan, of its legal department. He had served as a judge in the State.

Frank Murphy knew that our State constitution provided that "the military shall in all cases and at all times be in strict subordination to the civil power." He knew that men had invaded our State and, aided by a small minority of the workers in General Motors plants in Flint, had deprived citizens of Flint of liberty and property without due process of law; had driven women and men who desired to work from their places of employment, where they were lawfully and peacefully employed; and had unlawfully imprisoned other workers.

Frank Murphy knew that the court having jurisdiction over that territory, after a full and a fair hearing, had issued an order that those who had so kidnaped those factories, who had so assaulted and beaten citizens and driven them from the places where they had a right lawfully to be, be ejected from those factories. Frank Murphy knew that the sheriff of Genesee County and the peace officers of the city of Flint stood ready to enforce that court order, which was the law of the land.

*SIT-DOWN STRIKERS COMMITTED FELONIES UNDER MICHIGAN LAW*

When the sit-down strikers took possession of the Flint factories and while they held possession thereof, they broke windows, they destroyed personal property, and they injured the real estate. Those men were committing felonies. Governor Murphy knew it, or by the exercise of ordinary diligence he should have known it. He was in Flint when some of the offenses were being committed.

We have in our State a statute, section 16922 of the Compiled Laws of 1929, which provides that anyone who maliciously injures or destroys the personal property of another shall be punished by imprisonment in the State prison not more than 5 years, or by fine not exceeding \$1,000, and imprisonment in the county jail not more than 1 year.

We have another statute, section 16925, which provides that every person who willfully and maliciously injures or destroys any building of another, or the appurtenances thereto, if the damage exceeds \$25, shall be punished by imprisonment in the State prison not more than 5 years, or in the county jail not more than 1 year, or by a fine not exceeding \$500, or by both; and, if the damage does not exceed \$25, by a fine not exceeding \$100, or by imprisonment in the county jail not exceeding 3 months, or by both.

These two sections of the statute were violated time and time again.

*DUTY OF THE STATE POLICE—MURPHY KNEW IT*

It was the duty of the State police and of the National Guard, when present, to prevent these violations of the law, and it was the duty of Frank Murphy to see that the law was enforced. He took the oath that he would do so. Let him answer whether he complied with that oath.

Frank Murphy knew, or in the exercise of ordinary diligence he should have known, that those armed invaders of our State had not only taken possession of the motor plants

in Flint, that they had driven men who had committed no offense against the law, public morals, or contrary to fair dealing from their places of employment, but that they were breaking windows, destroying material, welding together iron fire doors, and injuring the real estate.

He knew, or in the exercise of ordinary diligence he should have known, that they were violating the statutes of our State, that they were committing felonies, and this in the presence of members of the State police under command of Lt. Harold Mulbar.

*MURPHY HAD THE POWER AND ABILITY TO ENFORCE THE LAW*

No one contends that while he was Governor he lacked either the ability or the means to enforce the laws of the State. No one contends that while Governor he was subject to physical coercion. He acted as a free agent. He determined the course which he desired to follow and he followed it voluntarily, willingly, and he told us during the campaign that he was proud of the record which he had made.

*DID MURPHY PERFORM HIS DUTY?*

Knowing that it was the duty of Frank Murphy while Governor to uphold the constitution of the State, cognizant of the facts which have just been cited, let us now from the record learn whether he performed his duties as Governor; whether in a time of stress he held the scales of justice impartially, protecting the weak and the oppressed, enforcing the laws of the land, or whether he betrayed those who were forced to work for a livelihood, those who believed in justice and equality before the law.

By determining how he acted then, charged as he was with the enforcement of the laws of Michigan, we may be able to learn something of what he will do as an Attorney General, charged with the enforcement of the laws of the Nation.

Under the foregoing circumstances what, if anything, did Murphy do that he should not have done?

What, if anything, did he fail to do which he should have done?

Know something of the things that Murphy as Governor failed to do, some of the things he did, in those sit-down strikes and subsequently.

Frank Murphy did not ask those violators of the law who were in possession of those factories to abandon their lawless activities. On the contrary, he asked, and he insisted, that the sheriff of the county and the peace officers of the city refrain from performing their lawful duty and that they permit the violators of the law to remain in possession of the factories.

Frank Murphy made it plain that the armed forces of the State and the National Guard would be used to protect those who had been and who were in possession of private property unlawfully and who threatened violence and bloodshed toward any and all who sought to exercise the lawful right to work.

*MURPHY SUSPENDED THE OPERATION OF THE STATE LAW*

No one denies but that he suspended the operation of the law. If a Governor can suspend the law for a day, then he may suspend it for a week, a month, or a year—*indefinitely*.

From whence does the Governor or any other executive officer derive the right to, by his actions, in effect set aside and repeal the law of the land?

*MURPHY HAD NO AUTHORITY TO WITHHOLD THE ENFORCEMENT OF THE LAW*

He acted without authority of law and contrary to the decision of the Supreme Court of the State in *Bishop v. Vandercook* (228 Mich. 299), with which he was undoubtedly familiar.

Murphy says that he acted to prevent bloodshed. May we inquire as to bloodshed by whom?

There was no question of violence until those who were supported by Murphy drove workers from their tasks. There was no question of bloodshed until the C. I. O. and the Communists within its ranks came to Michigan. The employers were not threatening bloodshed. Those whom Murphy protected were the ones who were threatening violence to our citizens.

Under what law were they acting?



Let me quote from the Supreme Court:

Shall we say the law of necessity? The courts recognize no such law. The so-called law of necessity or rather lawlessness was the very curse the provision in our Constitution laid low for all time. Shall we say the end justified the means? If so, where is such law to be found?

In Michigan, as Governor Murphy well knew at the time, we have not and we cannot have a military force that is not subordinate to the civil authorities. Yet Governor Murphy, in violation of this constitutional provision, used the National Guard to defy the courts, to suspend the operation of the law, to render impotent the civil authorities.

The foregoing are general statements. Nevertheless, they cover the general situation. Let us now be more specific. Let me give the history of two claimed incidents, and then let former Governor Murphy, who now as head of the Department of Justice has at his call the whole power of the Federal Government, with its unlimited resources, with its trained body of investigators, make answer to the inquiries which will be propounded before this statement is finished.

By the sworn testimony given before the Dies committee, the following appears:

**MEN INVADDED THE STATE FROM OHIO—HELD WORKERS PRISONERS**

On the 30th and the 31st of December 1936 men, many of whom reached Flint in automobiles which came from Toledo, Akron, and Norwood in Ohio and from other places without the State of Michigan, took possession of the Fisher Body plants at Flint, Mich.

Guards numbering from 12 to 40, many of them armed with truck stakes about 4 feet long, were established at the plant gates. After the guard was firmly established, those workers who were inside and who had not succeeded in getting out were required to obtain a pass in order to get out, and some of them, in order to get out, were forced to pay \$1 each and to promise that they would join the C. I. O.

**STRIKERS ADDRESSED THROUGH SOUND TRUCK BY COMMUNISTS ROY AND VICTOR REUTHER AND BOB TRAVIS**

These men were addressed at different times by Roy and Victor Reuther and Bob Travis, well-known Communists, none of whom lived in Flint, and they were exhorted to hold possession of the plants, and they held possession of some of these plants for 44 days.

The strikers also took possession of some of the streets of Flint, established guards, and refused disinterested citizens the right to freely pass and repass on them.

They operated a sound truck, from which well-known Communists exhorted the strikers and others to defy the civil authorities.

**PUBLIC SAFETY DIRECTOR OF FLINT CALLED IN VAIN UPON STATE POLICE FOR AID**

On January 5, 1937, the city manager, realizing that a dangerous situation was developing in Flint because two of the larger factories were occupied by armed groups, telephoned Public Safety Commissioner Olander, and was informed that he could not do anything without the Governor's permission. That same evening an effort to reach the Governor was unsuccessful. His secretary promised an appointment, but the appointment never was made.

During the afternoon of January 7, 1937, over a loud speaker placed in the window of a beer tavern near the personnel office of the Chevrolet Motor Co., Roy Reuther addressed many men coming from the plant. His talks were inflammatory, and some of those emerging from the plant were angered at his remarks and proceeded to tear down the loud speaker. This brought on a fist fight.

Two men were arrested, one a strike leader and a labor organizer from Toledo, and were taken to the police station.

That night between two and three hundred men and women, led by out-of-town agitators, assembled before the police department and demanded their release. After an hour's waiting for the crowd to disperse, the police department gave the mob 5 minutes to disperse. This they did.

During this demonstration by the strikers a representative of the Flint police department phoned the sergeant in charge of the Flint post of the State police, advising of the situation,

but was told that he could not act without orders from Commissioner of Public Safety Olander.

In this crowd before the station were Roy and Victor Reuther.

**ON JANUARY 8, 1937, PUBLIC SAFETY DIRECTOR OF FLINT CALLED UPON GOVERNOR FOR PROTECTION—REFUSED AID**

On the following morning, which was the 8th of January, the city manager and director of public safety in Flint, unable to reach Commissioner Olander, talked with his next in command, Captain Lyon, advised him of the trouble which had occurred in Flint, and was told that he could only act upon orders from Commissioner Olander.

On the same day the commissioner got Governor Murphy on the phone, told him what had happened in Flint, told him of the men coming in from other cities and States, but the Governor refused to give any assurance that he would do anything about it.

The riot and the bloodshed of the 11th followed immediately after the refusal of the Governor to give aid to the police department of the city of Flint.

**RIOT AND BLOODSHED OF JANUARY 11**

On January 11 a mob began storming the entrance to the first floor of Fisher Body plant No. 2. A call came for help, and the riot squad of the Flint police was ordered to the scene. When they arrived, a fight had developed and the police were greeted with a barrage of pieces of steel and iron, brickbats, milk bottles, and bottles containing an acid solution.

Here, again, Victor Reuther, from a sound truck, was inciting the men to fight the police.

**CITY AUTHORITIES TOLD STATE POLICE COULD NOT ACT WITHOUT MURPHY'S PERMISSION**

The battle becoming serious, the Flint police being unable to cope with it, the city manager finally reached Commissioner Olander at Detroit and was told by Olander that he could not possibly act without Governor Murphy's permission.

The Governor advised that he would not authorize help immediately, but that he would meet with the commissioner at midnight at the Durant Hotel in Flint.

**GOVERNOR CAME TO FLINT—CONFERRED FIRST WITH REUTHERS AND OTHER MOB LEADERS**

The Governor came and he first conferred for an hour and a half with Roy and Victor Reuther and other mob leaders.

During this time the battle was still in progress, and, after a 3-hour conference, at which were representatives of State police, of the Flint police department, the mayor, the prosecuting attorney, and the sheriff, Frank Murphy still refused to order the 70 or 75 State police who were in Flint at that time to help the Flint police department restore order.

He was told that the State police had been trapped, that they were virtually surrounded and outnumbered many times; that if they were not permitted by the mob to withdraw, in self-defense they would have to use solid shot and machine guns.

The police finally succeeded in escaping from the mob which overturned and destroyed two of the police cruisers.

While Governor Murphy was at the Durant Hotel, in the city of Flint, holding this conference; while he was steadfastly refusing to aid the police in their attempt to restore order, the battle was continuing at Fisher plant No. 2.

**WHILE MURPHY WAS IN FLINT, 11 POLICEMEN INJURED—13 STRIKERS SHOT**

In this fight Flint's police force was abandoned by Frank Murphy. It was left to the fury of the mob, and the result was that, instead of preventing bloodshed, the following men were injured:

Policemen: Captain Hughes, hit on right leg and right ankle with brick; Patrolman Claude Cooley, hit on back with heavy object thrown by unknown person; Patrolman Nelson Burleigh, right leg injured below knee and also left leg injured below knee; Patrolman Victor Basinski, left hand bruised; left ankle bruised and hit on back of head with unknown object; Sergt. Louis Rickey, struck on back over kidneys with 2 by 4, possible internal injuries; Patrolman Donald McNeil, face and eyes burned with chemical from fire extinguisher; condition serious; required hospitalization;

Patrolman John Hintze, punctured left arm; left hand and left foot badly bruised; Patrolman Theodore Hultquist, left thumb broken; lower rib on left side broken; Lt. Herman Crites, overcome by gas while on duty; required hospitalization; Sgt. Elzy McFarland, left foot fractured; left shoulder bruised; left arm punctured and face bruised; Sgt. Ernest Kilborn, punctured right leg below knee; laceration on left jaw bone; three stitches taken.

Strikers: George Scheer, 23 years old, 1208 Rose Street, face and eyes burned from explosion of a gas bomb he picked up; Pete Pavlich, 31 years old, 705 Addison Street, cut on index finger throwing bottle. Those receiving bullet wounds were: Earl DeLong, 22 years old, 3817 West Court Street; Charles Hammer, 52 years old, 3205 Dale Street; George Huber, 32 years old, 416 West Eighth Avenue; John Shippritt, 30 years old, 834 Damon Street; Nelson Wooley, 21 years old, 914 East Witherbee Street; Hans Larson, 35 years old, 815 Ossington Avenue; Clarence Hoskins, 32 years old, Aniclia, Ohio; Fred Stevens, 50 years old, 2201 Montith Street; Gerhardt Moe, 33 years old, 712 Wolcott; Claud Scheer, 58 years old, Route No. 5, Flint; William Lightcap, 31 years old, Route No. 2, Toledo, Ohio; Robert Manero, 22 years old, 1118 Pershing Street; Lee J. Nontell, Monclova, Ohio.

NATIONAL GUARD ARRIVED IN FLINT; REFUSED TO PROTECT WATERWORKS, SEWAGE-DISPOSAL PLANT, PUMPING STATION

Early the next morning, on the orders of the Governor, the National Guard began arriving in Flint, and the Governor stated through the newspaper that—

Whatever else may happen, there is going to be law and order in Michigan. The public safety and public interest are paramount. There will be maintenance of public order and protection of private property in Flint.

Several thousand of the National Guard men arrived in Flint, but public order was not maintained; nor was private property protected. This Frank Murphy knew, but he made no move to oust the strikers.

It has been charged many times that on no occasion while the sit-down strikes in Flint were in progress during this 44-day period did Governor Murphy either request or order publicly the sit-down strikers to leave the plants of the motor company.

If the Governor did make such request or give such order, a reference to that order made and dated at the time and to the newspapers in which it was published would do much to clear the situation.

In justice to former Governor Frank Murphy—and all of us here will be glad to have the information—will some Member from Michigan on the Democratic side, if he has the information, tell us when and where and to whom the Governor issued an order or made a request that the sit-down strikers vacate those plants, or that the State police or members of the National Guard request or order them to leave.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. COX. I know it has been understood throughout the country that Mr. Murphy, as Governor of Michigan, did obstruct the processes of the court. Has the gentleman anything in his files that evidences that there was an affirmative action on his part to obstruct the officers of the court in executing the court's orders? In other words, to what extent and in what manner did the Governor exert influence to obstruct the officers of the court in executing the orders of the court with reference to the sit-down strikers?

Mr. HOFFMAN. I have no official paper showing that the Governor issued a formal order, either to State police or National Guard, telling them to see to it that the sheriff did not enforce the order of the court. I have not the slightest idea that any such formal order was ever issued, but here is the situation:

The order was given to the sheriff. He expressed a willingness to enforce it. The State police were in Flint—I think some seventy-odd strong. The Governor had been in Flint. He knew of the situation. He had consulted on the night of

the 11th of January at the Durant Hotel when so many were injured, with Victor and Roy Reuther, well-known Communists and leaders in the strike, and later with the authorities in Flint.

I have no way of knowing what orders were issued or what suggestions or intimations he made, either to the leaders of the strike or the law-enforcing authorities.

I only know that at the time the sheriff was ready and willing, as were the police, to enforce the order; that the public press charged that the sheriff did not execute the order because of what was said and done by the Governor. So far as I have been able to learn, this statement made in the newspapers has never been denied.

Now, I am asking that some of the Democrats from Michigan, from his home city, get up and deny it here. If he ever did anything to aid in the execution of that order, they should tell us about it.

Mr. LESINSKI. I deny it.

Mr. HOFFMAN. You tell us now when and where and to whom the Governor made a request that the strikers vacate the Flint factories, when and where and to whom he gave an order that either the State police or the National Guard ask them to go out or tell them they would be put out. I know we will all be glad to have that information. In justice to the Governor, it should be placed in the Record.

Mr. LESINSKI. You tell us where and when he did not, and then I will prove that you are wrong.

Mr. HOFFMAN. Of course, it is absurd for the gentleman from Michigan [Mr. LESINSKI] to say that I should tell you what the Governor did not say. What I call upon the gentleman to do is to tell this House, and I hope, with all sincerity, he can tell us when and where and to whom the Governor publicly suggested or issued an order or a command that the sit-down strikers should withdraw, or made a demand that the sit-down strikers vacate the plants.

There has been sworn testimony from Lieutenant Mulbar of the State police that he was ready to act; that the State police were ready to act, especially in the labor-holiday riot at Lansing and East Lansing. The Governor was on the ground there and knew of those unlawful activities. Now, put in the Record here anything that he did to stop the rioting, to open the places of business, to clear the streets.

I know that the Governor said—and I quote his words:

It should not be forgotten that personal liberty will be of little value if the authority and integrity of the courts are not preserved and property rights protected.

Here was Governor Murphy present in the State's capital, with the State police headquarters within 2 or 3 miles of Lansing, almost on the campus grounds at East Lansing, where the rioting was taking place, with the National Guard, numbering several thousand, encamped at Flint while the strikers were in possession.

Now, tell us, if you will, what Frank Murphy ever did to see to it that the order of the court was enforced; that the integrity of the court was upheld. Tell me that, and tell me when and where and what he said and what he did.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. RAYBURN. Does the gentleman have any doubt that Mr. Murphy, whose nomination was unanimously reported by both Republicans and Democrats on the subcommittee yesterday, will be confirmed by the Senate and will be the Attorney General of the United States?

Mr. HOFFMAN. Not a particle of doubt.

Mr. RAYBURN. Then why the gentleman's speech?

Mr. HOFFMAN. Because I want to disclose the purpose of the man in the White House in gathering around him the kind of men he is gathering around him and calling to his aid; in selecting as his chief law adviser a man who himself failed to keep his oath, to comply with that provision of our State constitution which reads that he shall "take care that the laws be faithfully executed." [Applause.]

I want the people to know what kind of advisers he has; whether we are to have men who believe in a government by



law or whether we are to have as chief law adviser a man who has suspended the operation of the laws, permitted the orders of the court to be defied, the citizen to be deprived of liberty and property.

The President can choose the members of his official family. That is his privilege, his prerogative. He is welcome to them. But the people of Michigan, the people of the Nation, have a right to know whether the official adviser of the President, of the Army and the Navy, is a man who in time of stress, of trial, will abide by the Constitution, will enforce the laws of the land.

Mr. RAYBURN. The gentleman from Michigan believes in law and order, I am sure, as he has so many times stated.

If so, then why should he seek to destroy the confidence of the people in the man who is going to be one of the chief law-enforcing officers of the Government when he cannot put his finger on a single violation of the law that this man has ever committed?

Mr. HOFFMAN. The people of Michigan had no confidence in him. That was demonstrated in the last election.

You say I cannot put my finger on a single violation of the law that Frank Murphy ever committed? True enough, and I have not made that charge. I am only citing the record which, in the judgment of many, shows that he failed to keep his oath of office, to protect the citizens of his State, to put down insurrection and defiance of the law.

Mr. RAYBURN. The gentleman has failed to do so, in reply to the question of the gentleman from Georgia [Mr. Cox].

Mr. HOFFMAN. Oh, let me tell you something. On the 7th day of June 1937, the Governor of Michigan was in the capital of Michigan. He had a police station within 3 miles, with State police in it. A mob came in at 8:30 in the morning. They took possession of the streets in front of the capitol where the Governor was. They marched four abreast around the capitol. They closed the stores in Lansing. Is that any violation of the law? Is it in violation of the law, I ask you, to close a man's place of business? Is that a violation of the law?

Mr. RAYBURN. The Governor did not do that.

The SPEAKER pro tempore (Mr. BEAM). The time of the gentleman from Michigan has expired.

Mr. MAPES. Does the gentleman desire more time?

Mr. HOFFMAN. Yes. I would like to answer that question.

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Michigan be extended 10 minutes.

The SPEAKER pro tempore. The Chair will put that with the reservation that the gentleman from North Dakota and the gentleman from Colorado [Mr. MARTIN] will consent to the extension. Is that agreeable to the gentleman from North Dakota?

Mr. BURDICK. Yes, sir.

The SPEAKER pro tempore. Does the gentleman from Colorado agree?

Mr. MARTIN of Colorado. I do.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. MAPES]?

There was no objection.

The SPEAKER pro tempore. The time of the gentleman from Michigan is extended 10 minutes.

Mr. HOFFMAN. No. The Governor did not close the stores. These men he had been friendly with, some of these men he had been holding conferences with—the men at the head of the strike—they closed the stores. The Governor was there and he knew about it and he spoke to them and he said that no harm should come to them.

IS MURPHY LIABLE UNDER THE DECISION OF THE MICHIGAN SUPREME COURT?

Let me cite this example:

A dozen or more Members of the House do not like what some Member addressing the House is saying. They start to throw him out. They have no right to do so; nevertheless,

that is their purpose. The Sergeant at Arms, whose duty it is to maintain order in the House, and whoever may be in the chair stand idly by and let the Member be thrown from the Chamber. Is not the Sergeant at Arms, the occupant of the chair, each aiding and abetting in a violation of the rules of the House? And are they not, in a State like Michigan, where aiders and abettors are principals, law violators?

The Michigan Supreme Court has so held in the case of Washburn, the leader in the Lansing labor holiday. Consider for a moment the decision in that case (*People v. Washburn*, 285 Mich. 119).

In that case Lester Washburn, who, on the 7th day of June 1937, at the time of the Lansing labor holiday, told the mob to go out to East Lansing and "bring back a part of the college," was charged with having, by threats or otherwise and without authority of law, interfered with a mechanic or laborer in the quiet and peaceable pursuit of his lawful avocation.

It was not alleged, nor was there any evidence to show, that Washburn directly personally interfered with the lawful avocation of the complaining witness, Edward Evans. The theory of the prosecution proceeded upon the premise that Washburn, not being present at the time Evans was prevented from working, nevertheless was a principal, "was one who procures, councils, aids, or abets in the commission of an offense."

The record of the case shows that Washburn told one of the officers of the Capital City Wrecking Co., of Lansing, at which there was a strike, that he could not go to the office, and that he was on various occasions present at the place of the strike; that he had, over a sound car, asked for volunteers for picket duty, and that he knew that an injunction had been issued; that the pickets told one Edward Evans, who desired to go to work, as he approached the factory, "There will be no work here today." "Do you want to go to work?" "Sign on the dotted line," and that Evans and other men were thus prevented from working.

Washburn testified that he advised the local groups and consulted with the pickets at the company's plant.

The Michigan Supreme Court said:

The conclusion is inescapable that defendant aided and abetted in preventing Evans from engaging in his lawful avocation on June 4, contrary to the express provisions of the statute.

The court, quoting from other legal authority, further said:

The amount of advice or encouragement rendered is not material if it had effect in inducing the commission of the crime. Nor is the time of rendering the advice, aid, or encouragement an important element.

Apply this decision of the court, if you will, to the conduct of Frank Murphy on the 11th day of January 1937 when he was present at the Durant Hotel in Flint.

Recall that he was called to Flint by the director of public safety of that city to aid in suppressing a riot which was then taking place at a plant of the Fisher Body Co.; that he went to the hotel and consulted for an hour or longer with Roy and Victor Reuther and others who were then, and who had been for some time, directing the activities of the sit-down strikers who were destroying property, committing a felony.

Remember that, later in February, when the sheriff of the county sought to evict those who had been, and who were, violating the law, it was Frank Murphy who gave them aid and encouragement by advising the sheriff that the execution of the writ should be withheld.

Under the decision in *People against Washburn*, was or was not Frank Murphy an aider and abettor, a violator of the law of the State of Michigan?

Mr. RAYBURN. Let me ask, Is there not law in Michigan? Are there not orderly processes in Michigan?

Mr. HOFFMAN. There is today, but not when Murphy was Governor. Because of Murphy, civil law in Michigan was suspended. He suspended it in Flint by calling in the National Guard, who protected the strikers in their illegal possession of the factories.

Mr. RAYBURN. Certainly all the judges out in Michigan are not Democrats.

Mr. HOFFMAN. Oh, no. Judge Gadola, of Genesee County, was a Republican. He issued the order to evacuate the factories at Flint.

Mr. RAYBURN. It would seem to me that some patriotic Republican judge would have tried to have the law executed in his jurisdiction. Is the Governor of a State to be called upon to be a policeman in every village, every town in the State?

Mr. HOFFMAN. No, no, no.

Mr. RAYBURN. That seems to be what the gentleman is assuming that the Governor of Michigan should have been.

Mr. HOFFMAN. Oh, no. But what I say is this: That when two or three thousand men come into Michigan, deprive a citizen of his liberty—they did, did they not?—take possession of private property without process of law—they did, did they not?—should not the Governor preserve the peace, put down insurrection and defiance of the law?

Mr. RAYBURN. Is there no resort to courts?

Mr. HOFFMAN. What?

Mr. RAYBURN. Are there not courts to which resort may be had?

Mr. HOFFMAN. Certainly there are, and Judge Gadola issued the order for the sit-down strikers to get out. What happened when they went out there to execute the order? There was the Governor with his National Guard. His position was that there was to be no bloodshed—that the troops were to make no effort to put the strikers out.

Mr. RAYBURN. And there was not any bloodshed in Michigan; and law and order, it seems to me, is going along there pretty well at this time, is it not?

Mr. HOFFMAN. We got rid of Murphy. [Applause.] We got rid of Murphy. [Applause.] There was plenty of bloodshed and it was the blood of the law-enforcing officers that was shed by Communists and by sit-down strikers directed by Communists.

Mr. RAYBURN. And for several months before Murphy was gotten rid of things were going along in a pretty fine way in Michigan.

Mr. HOFFMAN. Oh, we had strikes, but Murphy was up for reelection and a soft pedal was put on violence and sit-down strikes. Now I shall say something that will please the gentleman from Texas. Over in Berrien County, in my district, we have a Democratic judge, Judge Evans. When we had the sit-down strike in Niles he issued his order. The fellows came in from outside but the sheriff, Charles Miller—and I will not mention his political faith either—he went over there, and the order that was issued by the Democratic judge was enforced, nor was there bloodshed. But when Brother Murphy was on the scene at Flint, the court order was not enforced.

Mr. RAYBURN. Has the gentleman any proof whatsoever that Governor Murphy at any time prevented the execution of an order of the court?

Mr. HOFFMAN. I will say this, that the proof is absolute and uncontradicted that he did not faithfully execute the laws of the State, that he was there and had the men; and that it is commonly reported in the newspapers—and so far as I know it has never been denied, and I am asking you now as the leader on that side to produce here evidence that he ever told them even to get out.

Mr. RAYBURN. I should not be asked to submit proof to refute the gentleman's charges. He should submit proof to support his charges. The gentleman is making a statement trying to prove the disqualification of Governor Murphy.

Mr. HOFFMAN. Sure, I am.

Mr. RAYBURN. And he is making roundabout statements.

Mr. HOFFMAN. No; I am not.

Mr. RAYBURN. He is making mere allegations.

Mr. HOFFMAN. No; I am making inquiries; I am asking questions.

We know what happened; we know that the citizens were deprived of their property and their liberty, in violation of both the State and the Federal Constitutions, in violation of the laws of the State; that the Governor was the man

charged with the enforcement of the law; that he knew the violations were taking place; and I am asking whether he performed his duty when he failed to protect the citizens of his State.

What happened at Monroe? The citizens of Monroe came out on the highway and said, "Thus far you come and no farther," and Van Bittner was out north of the town with 8,000 of his Communists and sit-down strikers. They did not take Monroe. Nor was there any bloodshed on that Sunday morning.

But let me get back to the trouble at Flint.

The city manager was advised that the Communists intended to cripple Flint by damaging the waterworks, the sewage-disposal plant, the pumping station, and the National Guard was asked to patrol those points, but refused, and the city hired individuals to perform that duty.

Members of the National Guard cautioned the city manager not to do anything that would cause trouble. They asked the city police to stay out of certain parts of the city.

The State police would not patrol the streets without orders and the National Guard would not do it. The city manager charges that the National Guard suggested that the police return two machine-gun units which had been loaned to them.

#### WRIT OF EJECTMENT ISSUED

Things went from bad to worse. On February 2 Judge Gadola, after a hearing, issued his writ authorizing the ejectment of the sit-down strikers. Frank Murphy, if he read the newspapers and was in touch with the situation, must have known that this writ had been issued.

It has been many times charged and so far never publicly denied that the Governor advised the sheriff of the county to withhold the execution of the writ.

#### STREETS AND HIGHWAY CLOSED

The mobs, realizing they had a friend in the Governor, that neither the State police nor the National Guard would move against them, that the police force and the sheriff's force were unable to successfully oppose them, virtually took possession of the lower end of Flint, around Fisher plant No. 1. They closed the main highway leading from Detroit and rerouted many cars which sought to pass.

#### NATIONAL GUARD AND STATE POLICE REFUSED TO OPEN STREETS TO TRAFFIC

The National Guard was asked to patrol that section of the main highway and to open it up, but they would not do it; neither would the State police.

The law-abiding citizens of Flint and those men who wanted to work in the factories, employees of General Motors, became so incensed that they resolved that they would no longer submit to control of their places of employment, of their city, by mobs led by outside wrecking crews. They had been and were denied by Frank Murphy the protection that was due them from the State police and from the National Guard.

#### POLICE CALLED FOR RESERVES

The natural result of this failure on the part of the Governor to enforce the law was that the city manager, the director of public safety of the city of Flint, issued orders to bring in reserve officers. These calls for help were sent to various organizations, and the men began to flock in to be examined and, if found qualified, to be sworn in as a reserve police force. They assembled at the city hall and at the Masonic Temple in somewhat the same temper and with somewhat the same objective as the members of the Boston Tea Party.

Note now, if you will, what happened. Frank Murphy has given as his reason for his failure to afford protection to the citizens of Flint his desire to avoid bloodshed; that he feared that if the officers of the law performed their duty and opposed the mob or its leaders the situation would get beyond control and there would be bloodshed.

Certainly the National Guard, numbering several thousand, and the State police, trained men, fully equipped and armed, were as capable of securing obedience to the law and preventing bloodshed, as were the numerically few police force and the reserves of the city of Flint.



#### MOB LEADERS CALLED FOR CONFERENCE AND DISARMED

Nevertheless as soon as the reserve corps began to organize and the leaders of the mob learned what was on foot—as soon as they knew that they were to be confronted by real armed opposition—they asked for a conference. The conference was held and the result was that the mobs dispersed, laid down their arms, yielded obedience to the traffic laws, and thereafter evacuated the factories.

The thing that restored order in Flint was the formation of a group of men sworn in to aid the police force of the city of Flint, and not the negotiations carried on by Governor Murphy.

#### RESERVES ACCOMPLISHED WHAT MURPHY FAILED TO DO

Frank Murphy, by one sentence notifying the lawless, those who were holding possession of the factories and of Flint streets, that the law would be enforced, could have accomplished the same thing.

Listen to these words—I quote:

It should not be forgotten that personal liberty will be of little value if the authority and integrity of the courts are not preserved and property rights protected.

Never was truer statement uttered, and those are the words of Frank Murphy. They show his realization of the fundamental need of an adherence to the law. Regrettable that he did not abide by his own convictions.

It matters not whether he yielded to the importunities of the leaders of the sit-down strikers, the Communists who were directing and controlling the sit-down strikes, or whether he followed the wishes of the officials of General Motors.

He failed to uphold the integrity of the court. He failed to protect property rights, to protect the liberty of the workers.

#### LABOR HOLIDAY AT LANSING

Let us turn now to what happened at Lansing, Michigan's capital.

#### MOB TOOK POSSESSION OF LANSING AS PROTEST AGAINST ARREST OF PICKETS

Picketing strikers at Lansing had been arrested and placed in jail because of the violation of an injunction. On the 7th of June 1937, Lester E. Washburn, whose wife was one of the pickets and who was president of Lansing Local 182 of the U. A. W. U., called a labor holiday to protest the arrest.

On that day some 15,000 men gathered in the downtown area of the city of Lansing. By the use of cars and trucks they blockaded the streets and closed them to traffic. They closed the stores and places of business; in short, they took and held possession of the capital of Michigan for that day; and the only reason, the only excuse, for their acts was that, in accordance with the lawful order of a court, pickets in contempt of court had been arrested and confined in jail.

#### MURPHY PRESENT AND WITNESSED DEMONSTRATION

During this demonstration Frank Murphy, the Governor, was present in Lansing and witnessed it, and he addressed the strikers from the capitol steps. He told them in substance that no harm would come to them. He made no effort, so far as is known, to clear the streets or to enforce the law.

The demonstration was so successful that along about 4 o'clock in the afternoon the pickets were released. They were let out of jail and escorted to the steps of the State capitol.

#### MOB WENT TO EAST LANSING—COLLEGE BOYS AND GIRLS THREW LEADERS INTO RIVER

In the meantime a part of the mob had gone to the college town of East Lansing, where we have a State Agricultural College. Their purpose was to do in East Lansing what they had done in Lansing—take possession of the town and close the business places.

In East Lansing and almost within stone's throw of the college buildings is the headquarters of the Michigan State police, and on duty there at the time was Lieutenant Harold Mulbar and a detachment of the State police.

#### WASHBURN'S ORDERS TO MOB TO "BRING BACK PART OF COLLEGE"

The college boys and girls, objecting to the closing of the restaurants where they ate, threw six members of the mob into the Red Cedar River. Angered, some of the leaders

returned to Lansing and, as the pickets were released from the jail, they reported to Washburn that several of his men had been thrown into the Red Cedar River by college boys. Washburn said:

Well, send a group out there right away and don't come back until you bring back part of the college.

The sworn testimony of Donald W. Gardner, a reporter for the Detroit Times, shows that, in the office of the chief of police, Washburn made the statement to go out to the college "and don't come back until you bring back part of it."

#### COLLEGE BOYS AND GIRLS DID WHAT MURPHY FAILED TO DO

Acting on this suggestion, out they went, some two or three thousand strong, and part of the same crowd which had defied the Governor of the State, which had before held in contempt the State police and the National Guard; and, when they reached the city limits of East Lansing, they found there some two or three thousand college students, who were ready for battle. The result was that Washburn's demonstrating mob concluded that discretion was the better part of valor and they returned to Lansing without closing a single store.

Those farmer boys and girls could and did do what Frank Murphy, Governor of the State, with the National Guard subject to his command, with the police of the city of Lansing ready to act, with the State police, many of whom were on the scene, most of whom were within call, would not do.

#### STATE POLICE WITHIN CALL—WOULD NOT INTERFERE BECAUSE THEY HAD NO ORDERS

Lieutenant Mulbar of the State police tells us that he was present at East Lansing on the 7th day of June 1937; that he was advised that the strikers were going out to East Lansing to close up the stores there and to duplicate what they had done in Lansing; that he knew that the students took exception, had thrown some of the strike leaders into the river, and that he knew that afterward a mob of some 2,000 was marching down on the State University; that he would gladly have gone to the point of danger, had he been called, and that the State police were ready and willing to carry out orders for the protection of life and property; that, lacking such orders, they were powerless.

He further said that he knew that misdemeanors and felonies under the State law and a high crime under the Federal law had been committed there on this particular day.

To me it is more than passing strange that the State of Michigan should be required to maintain and support a State police force, numbering many men, supplied with automobiles and with all the equipment necessary to maintain law and order, quartered in many well-built, substantial police stations scattered throughout the State, which should be powerless to act when property is being destroyed, when streets and highways are being blockaded, when men are being assaulted and beaten, until they have received orders from the Governor of the State.

Is it true, as a matter of fact, that if one citizen is being deprived of his property, is being held up and beaten by another in the presence of a member of the Michigan State police that that officer has no authority to enforce the law? If that be true, then the taxpayers of Michigan better save their money; the police force better be disbanded and the individual citizen given the right to carry arms and to protect himself in time of danger.

Such is not the law, neither in Michigan nor elsewhere, and the inevitable conclusion is that the Michigan State police, courageous, honest, efficient officers all—and the National Guard as well—had received orders direct from headquarters, the office of the Governor of Michigan, not to interfere with the activities of the strikers at Flint or the demonstrators at Lansing.

#### TWO INSTANCES CITED PROVE THAT LAWLESSNESS CONTINUED BECAUSE MURPHY AIDED THE STRIKERS; THAT BLOODSHED CAN BE PREVENTED BY INSISTENCE THAT LAW BE ENFORCED

The two foregoing instances which I have cited, one at Flint, the other at Lansing, show beyond argument that the law was disobeyed, the citizens deprived of their property and

their liberty, because Frank Murphy threw his personality, his aid, to the side of the lawless and against the innocent, unarmed citizen.

The two instances cited demonstrate, first at Flint, when the citizens arose in their wrath, when no longer could they restrain their righteous indignation, and announced that they proposed to join the police force and enforce the law, that bloodshed could be prevented by an enforcement of the law.

The same thing was proven again at East Lansing when a mob of two to three thousand demonstrators, many of whom had taken part in the lawless activities at Flint and other places, were confronted by a like number of college boys and girls.

**TWO INSTANCES PROVE MURPHY TO BLAME FOR BLOODSHED AT FLINT, FOR LAWLESSNESS AT LANSING**

These two incidents prove, if they prove nothing else, that for the bloodshed at Flint, for the lawlessness at Lansing, Governor Murphy was wholly to blame; that his lack of courage, his refusal to perform his duty, his sympathy for the lawless, many of whom he knew to be Communists, neither settled the sit-down strikes nor prevented bloodshed.

Nor can Frank Murphy excuse himself by the plea that he was acting in behalf of innocent, law-abiding but unfortunate citizens.

Murphy acted in behalf of and his conduct aided the sit-down strikers.

A news commentator friendly to Murphy said that the reason for Murphy's failure to eject the sit-down strikers and to protect the citizens of the State is found in that verse of Scripture which reads:

But with righteousness shall He judge the poor and reprove with equity for the meek of the earth.

Evidently the sit-down strikers, in Frank Murphy's opinion, were "the meek," and to settle the sit-down strike he was reproving them with equity, rather than compelling them to obey the law.

If he regarded the sit-down strikers as the meek, did he also have in mind that verse of the Psalms which reads:

The meek will He guide in judgment.

And did he have in mind that other verse which reads:

Blessed are the meek for they shall inherit the earth.

The strikers came by Flint through no inheritance. They took and held it by force.

But were they "the meek"?

Your attention is called to the fact that those who came to Michigan in the sit-down strike came breathing threats of violence. They preached defiance of the peace officers, disregard for the lawful order of the court. Were they, in the words of the Scripture, "the meek"?

They barricaded themselves on private property. Did they disturb domestic tranquillity? Did they intend to do great bodily harm to those who resisted their demands?

They kept men from the factories; they kept workers imprisoned in the factories. They armed themselves with and threatened to use the weapons which are here shown before you—weapons which came from the barricaded factories which the strikers had taken over.

**WEAPONS USED BY SIT-DOWN STRIKERS**

Look, if you will, at some of these weapons which were used by those strikers.

Here is a metal ball 2 inches in diameter.

Here is a slingshot made of metal, with a piece of inner tube to be used as a propelling force.

Here is a club fashioned from bolt heads bound with tape and covered with paper, 20 inches long.

Here is another, a metal bar wound with tape, 14 inches long.

Another, with a handle, wound with tape, 15 inches long and having protruding from one end the connections which ordinarily run from battery to distributor on an automobile, and having at the end a brass connection.

Here is a file, pointed, with a handle, 16 inches long and fashioned to penetrate the body.

Here is another steel bar, sharpened on the edge, a piece of rubber fitted on for a handle, 20 inches long.

Here is a hammer, the head brass, the handle wrapped with paper.

These weapons came from the hands of sit-down strikers.

And here is a rope fitted with a hangman's noose and in which the Detroit police advise one Mike Jakub, one time of Detroit, aged 45, white, was found hanging in the Plymouth plant on March 25, 1937, when a sit-down strike was in progress.

It was a case of either an attempted suicide or attempted murder. The man himself, when taken to the hospital, always insisted that he did not know what happened to him but thought that someone tried to hang him. Certainly a strange place for an attempt at suicide.

Were the men armed with these weapons and with similar weapons bent on a peaceful mission? Are they not rather those who Frank Murphy later said sought bloodshed?

Men armed with these and similar weapons are the men whom Frank Murphy protected from the police force of the city of Flint, to whose aid he called the National Guard when the sheriff of Genesee County, the officers of the Circuit Court of Genesee County, would have evicted them from the plants of General Motors.

Mr. KRAMER. Will the gentleman yield? In what pawnshop in Michigan did the gentleman purchase these things?

Mr. HOFFMAN. Does the gentleman mean where they came from?

Mr. COX. Will the gentleman yield?

Mr. HOFFMAN. They did not come from any pawnshop.

Mr. KRAMER. A pawnshop is where they came from.

Mr. HOFFMAN. The gentleman is more familiar with pawnshops than I am. [Laughter and applause.] These weapons came through the law-enforcing officers of the State of Michigan; reputable, courageous officers, who would have performed their duty had they been given the opportunity.

Mr. COX. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. COX. I would not want anybody in this world to think that I was in any wise in sympathy with the state of insurrection that existed in the gentleman's State. I think it was a disgrace to the Nation, and I have not yet found anything in the behavior of any of the officials of that State for which they can feel proud. I want to know if anything was done by the Governor of the State at that time to join issue with these people who came into the State to take charge of other people's property? In other words, was there any official action on the part of the Governor to maintain a state of peace and law within Michigan?

Mr. HOFFMAN. I know of an occasion down at the Durant Hotel in Flint when the Governor came down there. He did confer with Roy and Victor Reuther and with Bob Travis—Communists all, but not residents of Flint—as well as the officers of the city and State police. The next day he called out the National Guard, and in that way they did preserve order with these men in possession of those places and with the strikers in possession of the factories.

Captain Mulbar, of the State police, testified under oath before the Dies committee that he was in charge of a detail which went out to the struck plants in Flint, but that his orders were to investigate and observe. He said he saw large piles of metal—hinges and other things—near the windows, to be used as missiles to be thrown either by hand or with slingshots they had built for that particular purpose; that there were jars which he was told contained acid; that he was permitted by a strikers committee to enter the plant, but that the committee refused him permission to talk with the other men in the plant; that afterward he talked with some of the men who were in the plant and learned that some of them had to fight to escape from the plant, and that others, in order to get out, promised to join the union.

He testified further that he and the State police were willing to enforce the law but they had no orders to do so. Other officers refused to act because, as they said, they had no orders from the Governor.



## MEN COMMITTING FELONIES PROTECTED BY MURPHY

Men were engaged in the commission of felonies. The Governor saw to it, through the use of the State troops, that the sheriff's force did not execute the order of the court. Thus, did he not in this manner aid and abet them in the commission of the felonies? Was he or was he not, under the decision of the Supreme Court of Michigan in the case of *People v. Washburn* (285 Mich. 119), a strike leader, hereinafter referred to, equally guilty with them?

DID MURPHY THROW HIS SUPPORT TO LAW-ENFORCING AUTHORITIES OR TO THE LAWLESS?

Frank Murphy, when Governor of Michigan, backed by the armed forces of the State, was confronted with the choice of upholding the laws of the State, performing his duty as Governor, or condoning and supporting, by his conduct and his failure to give orders, or by his orders, to the National Guard, those who were violating the law—depriving citizens of their constitutional rights.

I make no charge. In view of the facts, form your own judgment.

DID MURPHY KNOW THE COMMUNISTS WERE COMING TO MICHIGAN?

If you read the history of the strike at Flint, you will see that Roy and Victor Reuther, Bob Travis, and other well-known Communists were, through the sound truck, directing activities. You will note that the two Reuthers conferred with Murphy at the Durant Hotel on the night of the 11th of January, the date of the riot at the Fisher plant. Did Murphy know that the Communists were coming to Michigan?

On the front page of the May 24, 1937, issue of *Social Justice*, published at Royal Oak, Mich., in blackface letters an inch high, runs the legend, "Communism is here," and beneath it the words "Governor Murphy, of Michigan."

On the same page we gather from the publication that Frank Murphy said—

At the Shrine of the Little Flower that, according to President Roosevelt, "If communism breaks in America, it will be in the Detroit area, where it will first manifest itself."

That later, at the Book Cadillac Hotel in Detroit, Governor Murphy said:

Communism is not coming; it is here.

Still later the press carried the information that Governor Murphy made the statement:

Communists deliberately created disorders in the Lansing labor holiday, the Consumers Power Co. strike, and in some phases of the sit-downs. They not only sought disorders but they sought bloodshed. They wanted bloodshed and they sought to draw us into a fight.

So, from Frank Murphy himself, we learn that he knew that communism was coming to Michigan. We know that it came; we know that the Communists wanted bloodshed; and we know from what happened that they brought it about.

REASONS FOR GENERAL MOTORS AND CHRYSLER'S APPROVAL OF MURPHY'S COURSE, IF THEY APPROVED IT

The record shows that Frank Murphy failed to perform his duty as Governor of the State; that he betrayed his people; that he left many of them to the mercy of the armed invaders.

In Murphy's behalf it is now said that the officials of General Motors and Chrysler are commending him for the manner in which he handled the sit-down strikes.

General Motors officials and Chrysler officials may commend him, if they wish. They, at the time, may have been motivated by their fear of what might happen to their plants, to their machinery, if they did not yield to the demands of the sit-down strikers. They were in much the same situation as the kidnap victim whose relatives and friends withhold action because they fear bodily harm.

General Motors and Chrysler officials may at the time have condoned or approved of the Governor's conduct because they had no hope that he would perform his duty as Governor.

General Motors and Chrysler officials, looking back, may now want him confirmed as Attorney General so that they will not longer be forced to hear with him in Michigan.

General Motors and Chrysler officials, too, may consider it wise and profitable to bargain with a Lewis for the labor they

want, rather than to deal with real representatives of the local organizations.

Let General Motors and Chrysler, if they wish, sell the man who must work for a livelihood into bondage to the C. I. O. and its Communist allies. The people of Michigan will find the answer.

General Motors and Chrysler officials may think it more profitable to sit down across the council board and buy from a labor dictator the toil of human beings than to deal with the men or the representatives of the men in their plants in the different localities.

God forbid that ever shall come the day when those who use labor in mass production will be in position to purchase the toil of human beings from a labor dictator, which is what Lewis desires to be.

Let John L. Lewis and General Motors and Chrysler officials join hands in hailing Frank Murphy as the arbitrator of their troubles. He receives no such commendation from the workers or the citizens of Michigan.

By his action and their action and the action of John L. Lewis thousands of free-born Americans have been compelled to pay tribute to the C. I. O. in order that they may exercise their rights under the Constitution.

Saturday's press here in Washington advised us that he is now to investigate and determine whether or not he performed his duty as Governor; whether Communists are engaged in subversive, un-American activities. We know not what his conclusion may be.

## THE PEOPLE'S VERDICT ON MURPHY'S CONDUCT

In 1936, riding on the coat-tail of President Roosevelt, who carried the State by a majority of 317,061 votes, Murphy was elected Governor with a majority of 48,919.

After the sit-down strikes, the settlement of which is Murphy's boast and the President's pride, the people of Michigan—not General Motors and Chrysler, not the C. I. O.—gave their verdict on Murphy's conduct, and they defeated him in November of 1938 by almost a hundred thousand majority.

The people of Michigan know by personal experience the record of Frank Murphy. They know what he is, as distinguished from what he says.

To reelect him Governor of the State of Michigan many forces joined hands and presented a united front.

The people of the State, especially those on relief, were given to understand that help for the aged and the unfortunate came through Murphy. By his order the pensions of the aged were reduced \$1 and then, on the 1st day of September 1938 every recipient of the State and Federal pension was advised in writing as follows:

We are pleased to announce that, in compliance with instructions received from Gov. Frank Murphy, we are restoring the \$1 cut that was put into effect July 1, 1938.

The enclosed check includes this additional dollar.

JAMES G. BRYANT,

Director, State Welfare Department.

Again am I reminded of the scriptures of the Psalm which reads:

The Lord giveth; the Lord taketh away: Blessed be the name of the Lord.

Was Michigan's political machine endeavoring to indicate to the aged, the unfortunate, the needy, by the foregoing official statement, that the pittance which they received was the gift of Murphy?

Frank Murphy, kind and solicitous for the welfare of the unfortunate and the aged? When a candidate for public office first reducing their means of livelihood by a paltry dollar and then on the eve of a primary election notifying each one that he was restoring it? or was he thinking of election day?

All the power of the well-oiled State and Federal political machines, with almost unlimited funds at their disposal, was used in an effort to reelect Frank Murphy. The Communists endorsed him, and, joining hands with the President of the United States, who made a personal appeal for his reelection, threw their power behind him.

Let pass in review the political forces which came to Michigan to reelect Frank Murphy Governor. We see three grand divisions of shock troops; the first made up of that vast army bearing Federal and State funds allocated to school districts, towns, counties, and States to purchase the votes of the citizens; made up of all those who were distributing Federal and State funds to farmers by way of subsidies; loans of all kinds, relief funds for the aged, for the unfortunate; and so distributing them as to influence the election—a great division commanded by the Federal and State distributors of these funds.

Another grand second division, consisting of the sit-down strikers, the Communists, under the leadership of Earl Browder and his subordinates.

The third led by the Commander in Chief of the Federal Government—the President of the United States, Franklin Delano Roosevelt, who threw the weight of his personal popularity into the battle; whose subordinate commanders were playing politics with relief funds—all three, political corruptionists, Communists, and the President, marching shoulder to shoulder to reelect Frank Murphy.

In spite of all this, the citizens of Michigan, who had tried him, who had heard and seen the evidence, rendered their verdict and they repudiated him because he had not, in their opinion, performed his duty, complied with his oath, supported the Constitution of State and Nation.

The issue before Frank Murphy, as Governor of Michigan, in the sit-down strike was clear, and it was a fundamental issue. It was this: Shall American citizens be permitted to work free from restraint, free from violence, with the protection of the law and the assurance that their rights under State and Federal Constitutions shall be protected?

Because he deemed it expedient the Governor of the State refused to protect Michigan citizens exercising their constitutional rights.

#### WHAT MURPHY'S APPOINTMENT INDICATES

The selection of Frank Murphy as legal adviser of the President means, if it means anything, that the President approves of a government by men, by expediency, not a government by law under the Constitution.

If the people of the country want that kind of government, Murphy's appointment should be confirmed. If they want a government by law, the appointment should be rejected.

Gloss over the facts as you will, be as charitable as you may, do not these facts remain?

First. In violation of the provisions of State and Federal Constitution citizens were without due process of law by force deprived of their property and of their liberty over a period of 44 days.

Second. During this time the Governor of the State, Frank Murphy, who had taken oath that he would support the Constitution of the United States and the constitution of the State guaranteeing these liberties, and who had subscribed to the third section of article VI of the State constitution, which provided that he should "take care that the laws be faithfully executed," with ample force at his command, not only did not use that force in support and defense of constitutional rights to see that the laws were faithfully executed, but did not, by spoken or written word, publicly request, declare, or demand that these deprivations of constitutional rights, disobedience of the law, be ended.

Appended in the RECORD will be the foregoing and a few questions, the answers to which may tend to show Murphy's qualifications for the Attorney Generalship.

As a citizen of Michigan and the Representative of the Fourth Congressional District of that State, I submit a few questions and ask Frank Murphy, on his honor as an American citizen and as a lawyer and former judge and former Governor of the State of Michigan and as a man who has been appointed but not confirmed as Attorney General of the United States, to answer.

1. Does the Michigan Constitution provide that "The military shall in all cases and at all times be in strict subordination to the civil power"?

2. Did you, directly or indirectly, either intimate to or give the officers of the National Guard of the State of Michigan to understand that they were to prevent the police authorities of the city of Flint or the sheriff or his deputies of the county of Genesee, from evicting the sit-down strikers who were occupying factories at Flint?

3. Did you, directly or indirectly, intimate to the sheriff of Genesee County that he should either withhold or not carry out the order of Judge Gadola requiring the eviction of the sit-down strikers?

4. If you did so intimate or order, will you cite the provisions of law giving you that authority?

5. Did the director of public safety of the city of Flint, on the 8th day of January 1937 ask you for help to enforce the law in the city of Flint?

6. If he did so ask you, did you give or did you refuse to give him aid, or what was your reply?

7. Were you at Flint, Mich., on the night of the 11th or the morning of the 12th of January 1937, when a conflict took place between the police officers of the city of Flint and the sit-down strikers?

8. Were you told by the director of public safety of the city of Flint on the 11th of January 1937 that a riot was taking place?

9. Upon your arrival at the city of Flint, before consulting with the director of public safety or any of the police force of the city of Flint, did you meet and consult with Victor and Roy Reuther?

10. Did you at that time know that they were reputed to be Communists?

11. Were you at that time advised that a battle was taking place between peace officers and the sit-down strikers?

12. Were there not at that time in the city of Flint at least 50 members of the State police?

13. Had you, prior to the 11th day of January 1937, learned that the sit-down strikers were occupying factories in Flint?

14. Had you, prior to the 11th day of January 1937, given the State police any orders to preserve the peace?

15. Had you given them any orders to prevent assaults on men who wanted to work in the factories?

16. Had you given them any orders to see to it that men who wanted to enter the seized factories and who wanted to work should not be permitted to do so?

17. Did you know that Lieutenant Mulbar in charge of a squad of State police had been to Flint, had learned that the strikers had seized private property?

18. Did Commissioner Olander or any officer of the State police report to you before the 11th of January 1937 that sit-down strikers were in possession of private property at Flint?

19. Did Commissioner Olander or any member of the State police report to you that men who wanted to work were being kept from their jobs by the sit-down strikers?

20. Did you learn from any source during the sit-down strike that private property was being destroyed?

21. If you did so learn, did you ascertain whether the value of that property so destroyed was more than \$25 or whether it was attached to the freehold and considered a part thereof?

22. If you answer that you knew that private property had been seized, that men were being kept from their places of employment, that private property was being destroyed, did you give any orders to anyone to obtain the evacuation of the private property or to punish those who had destroyed private property in excess of \$25 in value?

23. If you gave such orders, when and to whom did you give them, and were they written or verbal?

24. Did you learn during the course of the sit-down strikes that the strikers or their sympathizers had blockaded certain streets or highways in Flint?

25. If you answer that you did, did you do anything to cause the opening of such streets or highways; and if so, what did you do?

26. Did you know at the time of the sit-down strikes that it was a felony to damage real estate if the damage exceeded in amount \$25?



27. If you answer that you did, did you know that real estate had been damaged in excess of the amount of \$25?

28. If you answer that you did, what, if anything, did you do to punish those who had committed the felony or to prevent the recurrence of a similar act?

29. Did you learn during January of 1937 that men who worked in some of the factories at Flint were being held in those factories against their will?

30. If you did, did you give any orders requiring them to be liberated?

31. Did you in January of 1937 learn that men who wanted to work in the factories at Flint were prevented from doing so by the sit-down strikers?

32. If you did, did you consider that those who were thus deprived of their opportunity to work were deprived of their liberty without due process of law?

33. If you knew that private property was being held from the owners by the sit-down strikers, did you consider that a deprivation of private property without due process of law?

34. If you learned during January 1937 that workingmen were being deprived of their liberty—that is, of the right to go to work at their usual places of employment—and that possession of private property was being held without process of law, did you consider it your duty to see to it that the constitutional guaranties against the seizure of private property or the deprivation of liberty were made secure to the citizens?

35. If you answer that you did, did you do it?

36. Did not the sit-down strikers remain in possession of some of the factories for 44 days?

37. If men, 100 and more in number, take possession of a factory and hold possession by force and refuse to permit the regular employees to enter the factory to work at their jobs, and continue this course for a period of 30 days, did you believe it to be your duty as Governor of the State to cause them to be ejected from the factories?

38. Did you do it?

39. Did you not while Governor of Michigan neglect or refuse to require obedience to the law by the sit-down strikers?

40. Was it not your duty as Governor, under the oath of office which you took, to compel the sit-down strikers to evacuate the plants?

41. If sit-down strikers take and hold possession of a factory, how long do you think they should be permitted to hold possession of private property or to deprive men who want to work of the opportunity to work before being compelled to get out of the factory?

42. Were you present at Lansing at the time of the so-called labor holiday on the 7th day of June 1937?

43. Did you see that some of the streets of Lansing were blockaded by a mob at that time?

44. Did you know at that time that private places of business in the city of Lansing had been closed without process of law?

45. If you knew that either or both of these things had happened, did you do anything to open the blockaded streets or to assist the businessmen in opening their places of business?

46. If you say that you did, what did you do?

47. Was there not on that occasion available and subject to your command the State police force?

48. Did you at that time give any orders to the State police or to any other officers charged with the execution of the law and with the preservation of peace to force the evacuation of the streets of Lansing or to prevent the closing of business places?

49. Were you on that same day in the city of East Lansing?

50. Did you not know on that day that some of those engaged in the demonstration were marching to East Lansing?

51. If you say that you did, did you do anything to prevent the accomplishment of their purpose?

52. Did you not know from what had happened in Lansing that they probably intended to stage the same kind of a proceeding in East Lansing?

53. Did you not know that the students at East Lansing had thrown some of the demonstrators in the Red Cedar River?

54. Did you not anticipate that, if a group of these demonstrators who had blockaded the streets of Lansing and closed some of its places of business attempted the same procedure in East Lansing, there would probably be trouble between the college students and the demonstrators?

55. If you answer that you did, what did you do to prevent such trouble?

56. Is not the headquarters of the State police located at East Lansing and was there not on the day of the demonstration in Lansing a force of at least 25 State police located at that headquarters?

57. Did you not as a judge know that it was the duty of the sheriff of Genesee County to enforce the order of the court to cause the ejection of the sit-down strikers from the factories in Flint?

58. If you did know that fact, did you give any order or make any suggestion, either to the sheriff of Genesee County or to the chief of police of Flint, to the State police, or to the officers of the National Guard that the order should be carried out?

59. Did you ever at any time publicly either request or order the sit-down strikers to evacuate any of the factories at Flint?

60. If you did, when and where and in what form did you make or give a request or order, and to whom?

61. If you made such request or gave such order, what, if anything, did you do to secure compliance with it?

62. Did you ever, directly or indirectly, say or intimate to any officer of the State police or of the National Guard, after they were called to Flint, that he or those under him should refrain from ejecting the sit-down strikers?

63. Did you ever give any order to either the State police or the National Guard, requiring them to request the leaders of the sit-down strikers to evacuate the plants, or any of them?

64. If you say that you did, to whom and when and where was such request or order given and what were its terms?

65. Were you in Michigan in May, June, July, or August of 1936?

66. Were you at that time High Commissioner to the Philippine Islands?

67. Did you for those months draw a salary as such Commissioner?

68. Were you not, during the months of June, July, and August of 1936 or during the major portion of those months, campaigning for the office of Governor of Michigan?

69. After your nomination and election as Governor of Michigan in November of 1936, did you go back to the Philippine Islands?

70. Did you not, from the 4th day of November 1936 until the 31st day of December of that year, while you were either in the United States or in Cuba, draw compensation as High Commissioner to the Philippine Islands?

71. Is it true that you left the Philippine Islands on the 13th day of May 1936 and did not thereafter return to the islands?

72. Is it not true that you drew compensation as Commissioner from the 13th day of May 1936 to the 31st day of December of that same year, except for the period between September 4 and November 4?

73. Did you, during that same period, draw money from the Federal Government for expense money as Commissioner?

74. Did you at that time have at your disposal as Commissioner a fund of \$10,000, this in addition to the salary which you drew?

75. From May 13, 1936, to December 31 of the same year, what did you do to earn your compensation as Commissioner to the Philippine Islands while you were in Michigan, in the United States, or vacationing in Cuba?

76. Did you not, during the summer of 1936, while you were campaigning for Governor, make the statement in substance that you had given up a great international post, the best paid diplomatic post under the stars, to seek an office where the salary was less than a sixth as much?

77. Did you not make the statement during that campaign at Ironwood in August 1936, in substance and to the effect that you had given up your office as Commissioner to the Philippine Islands?

78. If you made such statement, was it true?

79. Did you not on July 9, 1936, announce to the press that you had resigned your post in the Philippine Islands to become a candidate for Governor of Michigan?

80. If you made such an announcement, was it true?

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized.

Mr. BURDICK. Mr. Speaker, I suppose this speech will be about as welcome on the Republican side as a Sears, Roebuck catalog in a country store. [Laughter.]

Mr. Speaker, although the Democrats are still in control of both Houses of Congress and the Democratic administration is responsible to the entire country for the action of Congress during this session, yet through the November elections the Republicans have assumed a minority responsibility actually greater than any it has had to discharge during the past 4 years, and a potential responsibility which, under proper guidance, may result in full responsibility 2 years hence.

I do not interpret the November elections as a swing back to reaction; but rather a protest against the mistakes of the New Deal. In our present circumstances, with a public debt of \$38,000,000,000, all drawing interest at an average rate of 2.582 percent, and with 13,000,000 out of employment and further relief appropriations necessary to prevent starvation and suffering; with private business, as now operated, admitting that if all restrictions were withdrawn by Congress and private business were left free to operate uncontrolled, as it was in 1929, that not more than 3,000,000 of the 13,000,000 could be employed—we must conclude that the country is not turning to any reactionary view, where all new trials and programs must be abandoned and let the country sink or swim according to the caprice of the business interests of the Nation.

Ever since 1929, and in the farm belt ever since 1920, the problem of the depression has, in the main, been getting worse. Temporary gains have been registered, but only through the expenditure of Government funds and the soldiers' bonus. In my judgment, this country cannot and will not take the old-time reactionary course. Our future course must be a progressive one, and new remedies must not be discarded and tabooed. Many things in the New Deal have brought better conditions for the poor and the distressed, and at least it brought hope to the Nation at a time when the confidence in the Government was at its lowest ebb in the history of the Nation. If the New Deal has done nothing else, it has established hope in the minds of millions that it is yet possible for the President and Congress to pilot the ship of state through troubled waters into the calm and peace of equal opportunity.

In what has been done by the present administration monumental mistakes have been made, but it must be admitted by all that the President has been actuated by the highest motives and that his intent and desire to aid and assist the lower one-half of our population wallowing in distress has never faltered. I deem it only fair to say that he has given poor people more consideration than any President since Jackson and Lincoln.

Under this state of facts, the Republican Party can gain nothing but will lose much to criticize the President and the administration for at least making an honest attempt to solve the Nation's difficulties. Whatever has been good about the administration, let us admit it; and in the place of too much criticism, let us offer a program that will do more for the people in distress than anything that has, as yet, been offered by the President or the administration. Should it be necessary to adopt any features of the New Deal, let us do that and at the same time eliminate the objections that experience has proven and which in many cases were plain and obvious. Should it be necessary to take a course of action that is entirely new and in advance of the New Deal,

let us do that as an objective, and in doing it avoid the mistakes which attended the New Deal.

The November vote clearly demands at the hands of the Republicans in this Congress a showing of hands on what we intend to do. We do not have to keep our program under cover and from the eye of the enemy, and the sooner the voters of the Nation understand what we intend to do the sooner we shall satisfy those who voted us in and the other millions who may wish to join us in 1940.

This, then, is the responsibility of the minority party now, and to fail to meet the test will be an admission that we have nothing to offer. By 1940 there will be no motive to direct any majority vote in our direction, and, worse than that, the country will still be financially bankrupt, as it is today, and very close to the point of hopeless confusion.

I have never advocated that we can right all wrongs by legislation in Congress; that an act of Congress standing alone will bring prosperity out of bankruptcy, but I have always maintained and do now that our present plight was caused by acts of Congress granting special privileges to the few while the many paid the bill. We can at least through acts of Congress revoke special privileges and open up opportunities for all equally. By acts of Congress we can put into actual practice what so many times has been advocated but never accomplished by both the Democrats and the Republicans, namely, "equal opportunities for all and special privileges to none."

At this time I am not speaking as an authorized representative of the Republican Party in Congress, but am expressing my own sentiments as a member of the party. It is my hope that the authorized spokesman of the party, the gentleman from Massachusetts, for whom I have great respect and admiration, will during this session insist upon a declaration from the Republican membership on a program. It is not at all necessary that all Republicans think as I do, but it is at least necessary to think. In my judgment, the Republican Party has been as dumb as the Democratic Party on this money question for 75 years, and as one member of the party I hope to see the Republicans make a stand on this question now, so that there can be no question about the matter before the people of this country.

The interest system is fast breaking the people in the United States and the Government itself. This system must be stopped, and Congress can lead the way at this session by passing, first, a House resolution which reasserts the control over the Nation's money and credit by the Congress, as provided by the Constitution. The Constitution reads, article I, section 8:

To coin money, regulate the value thereof, and of foreign coin.

This provision of the Constitution has never been amended or repealed and it therefore still stands as the supreme law of the land. The fact remains, however, that Congress has unconstitutionally delegated that power first to the national banks—National Bank Act of 1863—and to the Federal Reserve Board—Federal Reserve Act of 1914—and these institutions have unconstitutionally exercised the power of the Government over our monetary system ever since. Through this unconstitutional power the interest system is maintained and perpetuated. Pass this resolution in the House and Senate and when signed by the President this private use of Government credit for private gain will cease.

Secondly, insert in every appropriation act that no bonds shall be issued to finance the appropriation, but insist that Treasury notes be issued instead of bonds, and by so doing we can stop the interest loot on Government bonds, which amounts to \$1,500,000,000 annually. While these notes are circulating through the channels of trade no one will be obliged to pay interest on the note. Today money in our pocket, whether we save it or spend it, we must pay interest on it. Bury it in the ground to secure it for old age, and the interest goes right on. The reason is that it was issued in the first place on the basis of an interest-bearing debt, while it should have been issued as an obligation of the Government backed by the resources of the Nation. Money never should be issued on the basis of a debt, but on the basis of



an asset, and if the assets of this Government—namely, natural resources and the labor of the people is not security enough for a Federal issue of Treasury notes, what, I ask, is good? Why is the Government's name on a bond good and the Government's name on a money bill not good? I have repeated this question on the floor of this House before and have challenged an answer, but none have come forward to dispute this elementary proposition. I will now again repeat that question and invite an answer.

After having secured control again over the money and credit of this Nation, the Congress should next see to it by law that the money in circulation actually circulates. Money in the banks is of no use to the people of the country, except that portion of it necessary for reserves. Examine a bank statement today and what do we see? Every bank of any size loaded with money and the loans and discounts on the average less than half of the deposits. In New York City in 1929 every dollar in circulation circulated 132 times during the year, now it is down to a circulation of 26 times, and probably less since the last report.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the distinguished gentleman from Massachusetts.

Mr. GIFFORD. May I ask the gentleman what are the resources of the Nation; that is, what is their measure? Is it not simply the power and authority and the courage of its representatives to tax or confiscate from the people, and have we not reached our limit to dare to do that?

Mr. BURDICK. No; I must disagree with the gentleman. I do not believe the resources of this great Nation depend in the least degree upon the representatives the people send here.

Mr. GIFFORD. How are we going to take those great resources away from the people to cancel that money the gentleman would like to print?

Mr. BURDICK. We do not want to take anything away by taxation. I want to relieve you of that tax by issuing this money without having to pay interest on it.

Mr. GIFFORD. There must be a process to reach those resources in order to pay or cancel. What are the resources, or how are they to be measured?

Mr. BURDICK. The resources of this Nation consist of its soil, water, and the labor of its people. Would the gentleman answer this question?

Mr. GIFFORD. I rose to ask one.

Mr. BURDICK. I answered the best I could.

Mr. GIFFORD. The gentleman has not answered.

Mr. BURDICK. Let me ask a question: Why is the Government's name on a bond good and the Government's name on a piece of money no good?

Mr. GIFFORD. The reason is that no one knows the limitation of the public willingness to mop up a debt. The time will come, but we do not know and no one knows the limitation of the willingness of a person to lend a Government credit and at the same moment allow that Government to tax him for the interest and the collection of the debt. It is a peculiar proposition.

Mr. BURDICK. Then, does not the gentleman believe that the larger the debt the lower should be the rate of interest? Let us cut out interest entirely until we get even.

Mr. GIFFORD. No; there are some of us who are thankful that a bond will be issued having a due date and a promise to pay rather than an indefinite promise of cancellation.

Mr. BURDICK. In the end all you can do is trade that for another promise, is not that true?

Mr. GIFFORD. That is all we can do.

Mr. BURDICK. That is the difference.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from California.

Mr. VOORHIS of California. Can the gentleman tell me why it is that although the Constitution provides that money shall be coined and regulated by the Congress, when we set up Government credit agencies like the R. F. C., Home Owners' Loan Corporation, and the rest of them, that constitutional

provision is turned right backward and the Government agency has to exchange bonds for bank deposits which are created by private banks before it can make secured loans—not spend money, but make secured loans? Why cannot the Government create that credit as well as a private institution?

Mr. BURDICK. My answer is that I believe the coupon clippers of the country have more influence in Congress than the people.

We are just about \$1,600,000,000 short in circulation down at the grass roots, and nothing we have done so far has remedied the situation. While the soldiers at the bottom were spending their bonus there was a rise in business activity; when we spend a billion at the bottom in relief, business picks up. But just as soon as there is a let-up we start down, headed for another depression. If this Congress does not have the courage to remedy this situation for all time, I do not fear to predict a depression in this country that will make all others look like prosperous times. Our job now, since we are able to read the signs from what has taken place around us, is to insist upon the circulation of money at the bottom of society. We have tried to feed the money back to the people through the banks, railroads, insurance companies, and large business enterprises, but that has not worked. We must turn the money loose at the bottom and not at the top. We have not tried that because the President and the Democratic administration has opposed it, and they have been in control.

How shall we circulate each month \$1,600,000,000 at the bottom of our social group? This is what I will now answer. We will appoint 8,000,000 agents of the Government, whose only job each month will be to spend \$1,600,000,000 right down where they are and where most everyone else is who is in distress. This includes all businessmen who service this part of our population. This sounds like a political machine, but it is not. We do not care what church these agents attend or whether they attend church at all. We do not care whether they are Jews or gentiles, whether they are white or black. There are only three qualifications: First, are they citizens of this country? Second, are they mentally normal and not criminals? Third, are they 60 years of age or older; are they willing to take the job?

In this country there are about 8,000,000 citizens who can and will qualify, hence we will make these 8,000,000 people agents of the Government, whose only duty is to spend \$200 as a maximum each month. That will put into actual and forced circulation just exactly the amount we need to put in order the private business of this Nation which has been collapsed since 1929.

This plan is known as the Townsend recovery program, and it is the only plan that has been advanced in the Congress of the United States so far that has in it all of the potential requisites of national recovery. Many have been and still are confused about this program. Many think of it as a pension system for the aged, and that \$200 per month for them is not necessary. They say they can live on less. That is true, many aged people are living on \$5; but, first, it is not a decent standard of living; and, second, the expenditure of that money does not help the whole country enough. When these citizens spend \$200 per month everyone is helped—not the aged alone, not business alone, but those of far more importance to the country than either—the youth of the United States. Our young people are still pouring out of higher institutions of learning at the rate of 5,000,000 per year, and when they are educated they rarely find employment. They are ranging the country looking for a job because business generally in this country is down, and some sections of it out altogether. When this money is spent and business begins to revive, opportunities will open up for the young people, and they can fit into the social structure with opportunities which they richly deserve.

Just about the time we get all to agree that this is the way out of our difficulties someone—not necessarily the gentleman from Pennsylvania—asks right out in meeting this startling question: "Where are you going to get the money?" [Laughter.] To answer it is no more difficult than to ask it,

and here is the answer. Our fair average annual business turn-over in dollars and cents is \$900,000,000,000. We propose to tax that 2 percent, and the result will be \$18,000,000,000. We will draw on this fund every month for the \$1,600,000,000, and if business does not increase at all because of this "grass root" spending, we still have money enough to last us 11 months and 1 week. If business increases, as it must, from this buying power, we shall have more than enough from this 2-percent tax to go through the first year. It is a natural conclusion that business will increase from production to consumption, and if it does this 2-percent tax can be lowered and in 2 years' operation it appears more than likely that this 2 percent can be reduced to 1 percent.

On this subject of the tax I am more than anxious to have the Ways and Means Committee, in whom I have much confidence, take up the matter in full and give a report to this House on the feasibility or nonfeasibility of this tax. When that committee undertakes a hearing on the bill we can all have a chance to be heard there and in this House if the bill is favorably reported.

We are capable of having a national income of \$150,000,000,000 and could consume it all if there was money enough circulating among the producers and consumers. We never shall have to worry about overproduction—at least not until the last legitimate and necessary want of all our 130,000,000 people is satisfied. Today those who produce cannot buy back the necessities of life which they have produced. The Department of Agriculture demands a cut in the cotton acreage, but will that help when today the colored man of the South who produces cotton cannot buy a cotton shirt to cover his back? The same Department says we produce too much wheat and demands a cut in acreage, when the millions on grant relief are kept alive on a starvation basis.

Our ordinary national income should be at least \$100,000,000,000. To make it so there must be at least \$33,000,000,000 actually circulating in this country. Over a period of 50 years, with slight variations, the national income has been three times the amount of circulation. Hence, we can state the proposition that national income is usually three times greater than the amount of money in circulation, including demand deposits in banks.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. CRAWFORD. When the gentleman says "money in circulation," multiplied by the three to which he refers, does the gentleman mean to take into consideration demand deposits plus currency in circulation in arriving at the amount of money to which he refers?

Mr. BURDICK. The gentleman is correct.

Today our circulation is as follows:

Total circulation of all currency in United States.....		\$6,622,249,018.00
Federal Reserve notes outside Treasury, November 1938:		
Federal Reserve notes.....	4,635,775,680.00	
Federal Reserve bank notes.....	28,436,735.00	
National bank notes.....	205,365,769.50	
Demand deposits, Oct. 31, 1937:		
Individual.....	23,698,641,000.00	
U. S. Government.....	672,885,000.00	
State and municipal.....	3,233,847,000.00	

The conclusion to be drawn from this state of facts is that, first of all, the potential circulation should be increased several billion dollars, but even that would not help if the circulation froze in banks. Each and every month, if we desire a normal national income, \$2,750,000,000 should circulate among the people, and this circulation should reach, or, better yet, start at the bottom of the social heap.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Referring to the President's speech, then, if we take our demand deposits of, roughly, \$23,000,000,000, which is about an all-time high, plus the \$7,000,000,000 of currency in circulation, or a total of \$30,000,000,000, and multiply that sum by the three to which the gentleman

refers, which was our performance for years and years, that alone would put us on a \$90,000,000,000 national-income basis instead of the \$30,000,000,000 to which the President referred the other day.

Mr. BURDICK. The gentleman is correct; but, in saying the gentleman is correct, I assume this money has been circulating all the time, and I will show you now it has not been circulating all the time.

Mr. CRAWFORD. That is the point I want the gentleman to bring out.

Mr. BURDICK. With our present amount of circulation in existence and at the rate money is circulating, not over \$1,150,000,000 ever reaches the bottom of our entire social group.

Mr. SOUTH. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Texas.

Mr. SOUTH. Have not the several billions of dollars that have been paid to the common laborers through the Works Progress Administration been expended in an attempt to start the money from the bottom?

Mr. BURDICK. Yes; and every time that money has gone out in any particular locality that has been particularly afflicted, such as the drought area or the flood area, it has been registered by increased business activity almost immediately.

Mr. SOUTH. Is it not a fact that the various subsidies and bounties that have been paid to the farmers have been put in from the bottom?

Mr. BURDICK. That is right; it has helped, but not sufficient and continuous enough to revive all business.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield on that point?

Mr. BURDICK. I yield to the gentleman.

Mr. CRAWFORD. In order to keep the record clear, I understand your contention is that as those releases are made by the Government, they should be made in the form of Treasury notes and not based on bank credit or currency issued on the basis of debts.

Mr. BURDICK. The gentleman from Michigan is entirely correct. That is my position exactly. It is bad enough to have to furnish relief, but it is still worse to pay interest on the money we have to use with which to satisfy relief, and it depends upon this Congress whether we are going to pay that interest or not. You can shut it off within the next 30 days if you have the will to do so.

As I said before we are \$1,600,000,000 short in the circulation of the currency at the bottom of the heap every month and I propose a plan which will put into circulation \$1,600,000,000 every month.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Montana.

Mr. O'CONNOR. Personally, I have a lot of faith in my distinguished colleague from North Dakota, and is it not a fact that the formula the gentleman has just given about getting money into circulation is what is known as the Townsend plan?

Mr. BURDICK. I was just coming to that. The gentleman is correct. That is exactly what it is. It is not anything else but the Townsend recovery program.

There are a great many people who believed that the Townsend program was a scheme to furnish pensions for old people and a lot of them say you can live on less than \$200 a month. I agree with that. They are living on \$5 now. However, the purpose of the Townsend recovery program is not to furnish pensions. It is for the purpose of permitting this Nation to recover by the expenditure of money at the bottom of the social heap every month and keeping it up, and I will venture this prediction to this Congress. If you will adopt this program and appropriate \$1,600,000,000 now to make the first payment the first month, you would not need to appropriate any more money in this Congress of the United States for relief. Just give the plan one start and the thing will take care of itself.



Before I was interrupted I was about to say where we are going to get the money. There is about \$900,000,000,000 of turn-over in this country every year. It was not quite that much this year; there has been a turn-over of \$1,200,000,000,000 some years. If we tax that 2 percent, we will accumulate a fund of \$18,000,000,000 from that tax, and from that fund of \$18,000,000,000 you can take out \$1,600,000,000 every month and you can run for 11 months and some 20 days on that fund alone, provided the business of the country does not increase; but anyone who sits here knows that as soon as the people down where we live, out in the country, start to spend, the people who are doing business will start doing business.

A lot of people have said, "Will it not make everything cost too much?" My opinion is it will not increase the cost of living at all, because, on the average, in the United States today the merchants are doing just 31 percent of the amount of business they used to do and less than 31 percent of the business they are capable of doing, and the only reason they do not do the business is because the people do not have money. The money is at the top, if there is any.

You can look through all of the bank statements you find every day in this country and you will discover the banks are full of money, but it is not circulating among the people. It is frozen. So, while we have nearly \$30,000,000,000 in circulation, it is not really circulating. This program is to make it circulate at the bottom. Let me say, too, that I have been kidded a lot because I have advocated this Townsend recovery program. Some of you southern gentlemen who are very good friends of mine have said, "You seem to be sound on every other subject except that one, and we are surprised that you went off on an angle of 45 degrees." I am not saying who it is, but the gentleman is not sitting very far from me, but I say to you that we cannot stop progress unless we destroy the civilization that made that progress possible. You cannot stop improvements, and as we are sitting here this afternoon man after man is losing his job in this country because of more perfect machinery, and that process is going on every year. I predicted on the floor of this House 2 years ago that the number of unemployed in this country is not going to decrease, but it will increase.

The SPEAKER pro tempore (Mr. BEAM). The time of the gentleman from North Dakota has expired.

Mr. ROBSON of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for 10 minutes.

The SPEAKER pro tempore. Is that agreeable to the gentleman from Colorado [Mr. MARTIN]? There seems to be no objection there. Is there objection to the request of the gentleman from Kentucky that the time of the gentleman from North Dakota be extended for 10 minutes?

There was no objection.

Mr. BURDICK. Mr. Speaker, I want to leave this one thought with the Members. I have no desire to take up much of the time of this Congress, but as I see the situation in America today—and I want ever Member of this Congress to believe that I am sincere in what I say I see—there is a contest on in the country as to whether private business is going to be maintained and function in the interest of private business or whether that private business must give way to Government control. A great many of you believe in private industry, and I am one of them. I would like to see private business handle all of the business of this country. I do not want to see any State regimentation or any national regimentation, but when the representatives of big business have appeared before the committees of this Congress and have answered a direct question: "If you had it your way how many of these 14,000,000 people could you employ?" They have always said that of the 14,000,000 they cannot employ over 3,000,000. Then I ask this question: What are you going to do with the other millions that you cannot employ? They do not know. If you believe in maintaining individual liberty in this country, the right of every man to think for himself, to do for himself, it seems to me that we had better get busy

and make it possible for business to maintain itself and employ the millions that are now out of a job.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. Yes.

Mr. CRAWFORD. This has bothered me a good deal directly on that point. When someone goes before a committee representing business, almost invariably he speaks for the manufacturing industries of the country. I think the gentleman is well enough informed on manufacturing to know that for each man you put in a factory you have to employ another man to bring goods to and another to carry goods away from. In other words, 3,000,000 men put to work in our factories will automatically bring into the pay rolls of industry in this country an additional 6,000,000 men in service, as well as in raw materials supplying the activities of our people, and I wish someone would bring that out more before these committees. It is something that has been overlooked, because the manufacturer always speaks in terms of men that he will employ on the pay roll himself, and that is where the three million figure comes from.

Mr. BURDICK. I think the gentleman's views are sound on that question, as are his views on other subjects. However, unless there is buying power put there to help private business increase it will not be able to employ these millions of unemployed. The thing we want down there is buying power. You can take your choice: You can come in behind men who will build up private business in this country that is big enough to take care of all of the people to bring back prosperity by putting buying power down there or you can sit there and laugh about this program until the time will come when there will be so many millions out of jobs that the Government will be compelled to take over the business, public and private, in this country.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. Yes.

Mr. O'CONNOR. If we had sufficient buying power to give to every person in this country what he actually needs, would there be a surplus of foodstuffs, cotton or wool or anything else?

Mr. BURDICK. There would not be a surplus of anything in the country. We would be short, because we are capable of consuming an annual wealth of \$150,000,000,000, and this year it is about \$63,000,000,000. I notice the President wants to get it up to \$80,000,000,000, but we might as well put it up where it belongs; and if you will put that buying power down there you would not have to do anything else. Since I have been in this Congress we have appropriated about \$30,000,000,000, but we have turned most of it into the top, and we are as bad off as ever we were.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. GIFFORD. With all the sincerity that the gentleman from North Dakota has expressed, I want buying power; but the address of the gentleman from North Dakota seems to be that a billion and a half or more shall be given away to a certain class of people, to be made nonproducing people, in order to bring this about. I am sure he will forgive me if I say I am one of those who think that would probably be financial suicide.

Mr. BURDICK. I think there are a great many people in this country who believe it is financial suicide, but as long as they keep holding that belief and do not give on it, the time will come when it will be governmental suicide.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. VOORHIS of California. The gentleman has pointed out the importance of putting the purchasing power into circulation at the bottom of our economic scale, and I am thoroughly in agreement with him; but does not the gentleman agree that in addition to that we must have much more adequate provision than we now have in order to prevent stagnation of that buying power in idle bank deposits, after it has once been put into circulation, and that at present we

do not have adequate machinery for bringing that about, which is the main reason why, when these bank deposits become stagnant, the only thing we can fall back upon is the increase of Government debt, in order for the Government, in effect, to buy back into active circulation, some of these deposits? Are we not trying to push a string, in other words, to get that credit out, when instead of that we must have a monetary authority with positive power to bring about that expansion and to avoid the necessity of that sort of increase of debt which is had in an attempt to get expansion?

Mr. BURDICK. The gentleman from California is correct on that.

Now, I only have about 2 minutes more.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. Well, yes. I am the most yielding fellow you ever saw. [Laughter.]

Mr. WOLCOTT. The gentleman from North Dakota has said that the gentleman from California [Mr. VOORHIS] is correct in his statement. I think the statement made by the gentleman from California has been answered by most of the leading economists of the Nation in the hearings on the bill to establish a Federal monetary authority, and if the gentleman from California and the gentleman from North Dakota will get the hearings which were published in 1933 and read them, I doubt whether the gentleman from North Dakota will say that the gentleman from California is correct in his assertions.

Mr. VOORHIS of California. I would like to say that I have read those hearings.

Mr. BURDICK. Now, I did not want to open this up for any private fight between other parties. I want to be in on it. [Laughter.]

We cannot stop progress unless we destroy the civilization that has made it possible. We cannot prevent inventions and use of labor-saving devices. Each year will see, as each year in the last decade has seen, the displacement of thousands of workers who, for generations, have depended upon that source for a livelihood. What will these ever-increasing thousands do? To what can they turn to find employment? Will not most of them be too old to find employment in private industry? Will private industry today employ men over the age of 50 when there are millions of young men standing in line for any job? Without more buying power down in every local community, will private enterprises increase or expand what they now have? Candidly, I cannot see any place in our economic system where middle-aged persons or those past middle age can obtain employment in any private industry.

I will answer all of these questions by saying: First, let us give private industry and individual enterprise another chance to solve the question. Let us give incentive to build more private business enterprises. We can do that by passing the Townsend Recovery Act and employing 8,000,000 aged persons in the one and only job of distributing monthly in the lowest unit of our social structure money enough to build a buying power sufficient to enable private enterprises to operate and increase. Secondly, if that fails, then the Government of the United States must enter the business field and offer employment to those who want to work and cannot find employment. If those who maintain that private business is superior to Government business do not cooperate in circulating buying power at the very bottom of our social structure, then the natural course of events will destroy all private business, and a government in this country will dictate all business, public and private.

I do not believe, however, that this view is shared by many of the leaders in this country who maintain that private business is better than Government business. Up to date they have not seen the handwriting on the wall. They refuse to see, and there is no one so blind as one who will not see. They are so engrossed in their own personal interests that the public welfare of 130,000,000 people is forgotten. There is much to do to put the private machine of business in order. It can be done, and if we are to secure freedom of individual action for our children in the generations just ahead of us,

this must be done. Interest, which today consumes 31 percent of every dollar spent, must be outlawed. Corporations which, under special laws, have set up a bureaucracy which defies the Government that gave them life must be checked. Through stock control, the earnings of millions who have invested their funds are dependent absolutely upon the will or caprice of controlling officials. Unreasonable and unconscionable salaries eat up the substance of these investments, and the poor grow poorer and the rich richer. These corporations must be controlled or abolished if private enterprise is to be maintained. [Applause.] In the history of the human race the greed and avarice of a few individuals has always destroyed every government that has failed. [Applause.]

In maintaining the principle that within the law an individual can do as he pleases and be protected under the Constitution we must give way to a new interpretation that the rights of an individual end where the public interest begins. For example, I have the right, under the Constitution, to own all the land I can pay for and maintain. But suppose I obtained possession of so much land that millions were becoming destitute because they could not use the land in the vicinity where I possessed unnecessary tracts merely because, under the Constitution, I had a right to obtain all the land I desired. We will come to that interpretation, if, indeed, we have not already arrived there, that no one has the right to own more land than is necessary for his own use and to the exclusion of thousands who cannot live without it. In such a case this land for which I have no use except to gratify my personal ambition to "own the whole country" must be taken away from me as an individual and distributed among those who must have it to live. The method of taking it will vary. If the Government continues to have the support of the people and merits support, the process will be orderly, legal, and equitable for all concerned. But if that Government fails to act in the interest of those who suffer, then the land will be taken, as it always has been taken, by people who revolt and go mad under long-continued abuses. Then the land will be taken by force. History is the best barometer to which we can turn. What has been done once can be again. By adopting the slogan that the rights of an individual end where the public interest begins we can save and maintain an orderly, constitutional, and just government. [Applause.]

The situation in this country is more desperate than many suppose. We have maintained a democracy here for over 150 years that has been and is the hope of millions who do not enjoy individual liberty. We have had so much liberty in this country that we have ceased to realize it. We have become too indifferent toward it to protect it. The fact remains that we have the best government which the wisdom of man has yet contrived, and I for one do not propose to sit here as a Member of this great Congress and permit this Government to be destroyed if there is anything I can do to prevent it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from North Dakota has again expired.

The gentleman from Colorado [Mr. MARTIN] is recognized for 15 minutes.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DALY. Mr. Speaker, I am going to ask the gentleman from Colorado to yield me 4 minutes' time before he speaks.

Mr. MARTIN of Colorado. I could not yield it out of my time.

Mr. DALY. No; not out of your time.

The SPEAKER pro tempore. Does the gentleman from Colorado [Mr. MARTIN] yield for the gentleman from Pennsylvania to submit his request to proceed for 4 minutes ahead of the gentleman from Colorado?

Mr. MARTIN of Colorado. It is all right with me if it is with the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania, that he be allowed to proceed for 4 minutes at this time?

There was no objection.



## PRESIDENTIAL APPOINTMENTS

Mr. DALY. Mr. Speaker, I regret that my limited time will not permit me to go more extensively into a reply to the remarks of the gentleman from Michigan [Mr. HOFFMAN].

The gentleman from Michigan [Mr. HOFFMAN] used Mr. Murphy, and so stated on the floor of the House, as a means of getting at the Chief Executive of the Nation. It is pitiful that men, in their spleen and their overpartisan zeal, attack the Chief Executive of the Nation and do not hesitate to cast aspersions upon the personal character and attainments of men who have achieved prominent places throughout the country.

The gentleman from Michigan [Mr. HOFFMAN] said that his two objections to Mr. Murphy—and he admitted it was a subterfuge to attack Mr. Roosevelt—were: First, he was a small-town lawyer. If I remember correctly, Abraham Lincoln was a small-town lawyer and had not nearly the experience Mr. Murphy and many men who are Members of the House have had in the practice of the law, yet, does anybody need speak of the achievements of Lincoln?

Furthermore, within the last 15 years a Republican Executive appointed as Attorney General of the Nation an obscure, small-town lawyer, and he was an eminent, brilliant man. The records of the Attorney General's office will shine with the achievement of that man in the office, small-town lawyer that he was.

The other objection seems to be that Mr. Murphy drew pay as Governor of the Philippine Islands for a period of some months when he was campaigning to become Governor of his home State. Has the gentleman from Michigan [Mr. HOFFMAN] forgotten the fact that in the State of Pennsylvania the Republican candidate for Governor this year was a member of the appellate court; that from the 15th day of last April up to the present day has drawn his salary, comparable to the salary drawn by Mr. Murphy, but has never served one day in that court, never performed one act of duty during this period? At the present time, even when he is elected Governor, he is drawing his salary as a member of the appellate court of the State of Pennsylvania. So it seems to me that we might look at the mote in our own eye.

The great danger that I see—and there can be no partisan politics in this statement—is the encouragement to communism, fascism, and all the other "isms" in this country that seek to destroy our form of government, "isms" that are encouraged, fostered, abetted, and aided by attacks on the floor of the House on the Chief Executive of the Nation. To my mind nothing encourages communism and these other "isms" more. I should be glad to go much further into this matter, but my 4 minutes' time is about up.

The gentleman stated that they—I think he used the plural in referring to himself—were glad to get rid of Murphy in Michigan. Well, the President wants him. The people of the country want him and the Senate of the United States wants him. By reason of the ability, the integrity, and the courage of Frank Murphy, I am confident that the record he will establish in the office of Attorney General of the United States will be such as to deserve and receive the approbation and acclaim of the entire Nation, including Michigan, with the possible exception of the small-town lawyer from Allegan.

The gentleman from Michigan produced a noose here. This was very significant to me.

[Here the gavel fell.]

Mr. DALY. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DALY. It reminded me of the disciple of the Prince of Peace years ago who, after betraying his Chief, the Founder of Christianity, the greatest democracy in the world, took a noose and went out into the garden. I wondered when the gentleman from Michigan took the noose and left the floor of this House if it might not be better if he applied it in the same way. [Laughter and applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Colorado [Mr. MARTIN] is recognized for 15 minutes.

## SUGAR

Mr. MARTIN of Colorado. Mr. Speaker, I am always glad to yield, because I never feel that anything I am going to say will change the course of destiny. [Applause.]

Mr. Speaker, I listened attentively yesterday, as I always do, to the remarks of the gentleman from Michigan [Mr. CRAWFORD] on the sugar question.

He has had much personal experience in the domestic sugar industry, is a deep student, and his discussion is always replete with facts. It must be admitted that he made a strong showing against further tariff concessions to Cuba, and for an enlargement of the domestic sugar program. I am with him on that and have lodged my protest with the State Department against the proposed reduction. We have done enough for Cuba.

And yet, as he talked, the obverse side of the picture—and it has an obverse side—began forming in my mind. I regret that I must hastily and from memory sketch some bits of this picture.

One thing I like about the speeches of the gentleman from Michigan, and in which he differs from so many of his colleagues that occupy so much of the time on that side of the House, is that they are fairly free from bitter partisanship. There must, however, be some partisanship involved in nearly every subject we consider. I favor as little of it as possible. But the inescapable inference, and frequently stronger, of all the speeches on sugar coming from the minority side of the House, is that the administration has done nothing for sugar; has, in effect, sold it down the river, but that they if given the opportunity will do a lot for it. As Al Smith says, "Let's take a look at the record." This sugar controversy is more than 40 years old, and I will refer to it more at length in a few minutes.

On March 4, 1933, the Republican Party had been in power for 12 continuous years—in the White House, in the Senate, in the House of Representatives. If the Republican Party wanted to do anything for sugar, or could do anything for sugar, it certainly had plenty of time and all the power necessary to do it.

But on March 4, 1933, the sugar companies were broke, their stocks were down 80 to 90 percent, and going begging and the stockholders were holding the sack, going without dividends; the beet growers were broke and were considering the abandonment of beet growing, and the beet workers were on relief. Domestic sugar was in the ditch.

What the Republican Party did for sugar reminds me of an incident that I heard on the floor of the United States Senate when I was first in Congress, when that body was distinguished by the presence of John Sharp Williams, of Mississippi. That was back in the days when the Civil War was still an issue, and occasionally a northern Senator would air his views about the "wayward" South and what the North had done for the South. On this day a northern Senator was holding forth on the old theme, when John Sharp Williams rose to his feet and made an interjection about as follows. He said, "All this continual talk here in the Senate about what the North has done for the South reminds me of an incident at a colored revival down in my home town in Mississippi. They finally got everybody up to the mourners' bench except a poor old fellow who hung back in the corner. He was half blind and all crippled up and nearly a total loss. Night after night he was urged to go forward and tell the people what the Lord had done for him. At last the old man gave in and hobbled down the aisle and turned around and said, 'Well, brothers and sisters, I can tell you what the Lord has done for me; the Lord has done ruint me!'"

Now, let me take a long bird's-eye view of the domestic sugar industry—and I am interested in that industry. It is the farmers' cash crop in the Arkansas Valley in Colorado, in which I have lived for 48 years. The gentleman from Michigan [Mr. CRAWFORD] has worked in the industry in that valley. More than 40 years ago McKinley put a bonus of 1 cent a

pound on sugar to stimulate the industry. Since then first one plan then another has been tried, including tariffs, domestic and off-shore quotas, the processing tax, and the present consumption tax. But I would say from memory that at no time has domestic production ever exceeded 30 percent of domestic consumption. The gentleman from Michigan puts the domestic percentage now at 26. As I recall it, only once in its history has domestic beet-sugar production reached or exceeded the 1,584,000-ton quota now in the law and which is supposed to be restricting production. When McKinley put the bonus on domestic sugar there was no Philippine problem, no Philippine sugar coming into this country. Now, under the stimulus of a 2-cent general tariff, but free to the Philippines, they have developed up to a million tons. It is the same story with Hawaii, Puerto Rico, and, in a large measure, Cuba. All these heavy off-shore sugar producers are Republican babies. Under Republican policies all these island competitors—the Philippines, Hawaii, Puerto Rico, and Cuba—have been brought into the family and built up to what they are today. Cleveland refused the tender of the Hawaiian Islands, but McKinley accepted them. He not only accepted the Philippine Islands but gave Spain \$20,000,000 for a quitclaim deed to them. And then the New York sugar interests began exploiting them for sugar, just as they are exploiting Cuba and Hawaii and Puerto Rico. I agree with the gentleman from Michigan that the Cuban sugar benefits are not going to the growers but to the economic royalists in New York, so I do not see why his party is kicking about that. [Laughter.]

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Colorado. I yield with trepidation to the authority from Michigan.

Mr. CRAWFORD. Is it not correct that the authorization for Philippine sugar coming into this country was expanded during the Wilson administration at about the time we entered the World War by a removal of duty on Philippine sugar? Is it not also true that the removal of the duty on sugar coming into this country from the Philippines coupled with our desire for sugar during the Wilson administration encouraged the adoption in the Philippine Islands of the centrifugal process in place of the old kettle process, and that that, in fact, brought about the stimulation of the Philippine sugar production?

Mr. MARTIN of Colorado. I will admit that against this side of the House to the extent that the gentleman's statement is correct. I know it keeps growing.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Colorado. Briefly.

Mr. CULKIN. Passing the Republicans' sins of omission and commission and the Democrats' sins of omission and commission, does not the gentleman believe that the production of beet sugar offers an outlet for American agriculture?

Mr. MARTIN of Colorado. To a certain extent, yes; but I have already pointed out that notwithstanding all the varying policies applied to sugar over a period of 40 years, domestic production has not yet exceeded 30 percent of domestic consumption.

Mr. CULKIN. Do not France and Germany subsist entirely, so far as sugar is concerned, on beet sugar alone?

Mr. MARTIN of Colorado. I think that is true.

Mr. CULKIN. Why could not we do that and give the farmers that much of an outlet?

Mr. MARTIN of Colorado. That is a long argument. What I am pointing out is that over a period of 40 years, under all the policies tried, the industry has failed to develop to the point the gentleman suggests.

The point is, that no matter what the party in power or what the sugar policy, the industry has failed to develop up to its opportunities, and has never been any better off under Republican than under Democratic rule. But it is in much better shape today than it was 6 years ago. The processors are making money and their stocks have gone back to about par, and if they are not back at par, they are as nearly back

as they ought to have been in the first place. The farmers get around \$6.50 for their beets from the factories and the tax; the beet workers get \$22 to \$23 per acre, as against \$12 and \$13 per acre 6 years ago; hired child labor has been taken out of the beet fields.

I have cited these facts as to the percentage of domestic production to domestic consumption, and the maximum of domestic production, as compared with the domestic quota, not for the purpose of minimizing the great importance of the domestic sugar industry but as an answer to the continual criticism that the sugar policy of the administration has been choking and restricting the industry and preventing its natural and proper expansion. The fact of the matter is that sugar for the first time has been given a fixed and definite status under this administration, a secure, recognized place in the national economy, and the quota it now enjoys is preferential and exclusive of all offshore quotas.

The industry ought to be preserved as an essential item in the national economy. We have seen what happened in 1920, as stated by the gentleman from Michigan yesterday, when due to the exhaustion of the domestic sugar supply, sugar went up to 35 cents a pound, seven times what it is now. If the American industry were wiped out, it would go up again and the American consumer would pay many times the small 50-cents-a-hundred tax he is paying now. I think we ought to go completely back to the Jones-Costigan Act and to the Triple A with its processing taxes, the simplest and most workable plan to stabilize agriculture that has yet been devised. It was nothing short of a tragedy to American agriculture when the Supreme Court by a vote of 6 to 3 threw the Triple A out the window. The dissenting opinion of Justice Stone in that case is a masterpiece of judicial reasoning. It is unanswerable. All they needed on the Stone opinion was two more votes. I believe that if it were resubmitted we would get them.

I want to turn a moment to another phase of this question which has given me considerable thought. I believe the continuous and indiscriminating denunciation of this sugar legislation and of the trade treaties negotiated under this administration is doing more than all other causes to engender ill-feeling against the United States in Canada and throughout Latin America. Even the gentleman from Michigan repeatedly referred to the Cuban leader as "that little Cuban dictator." This attitude toward the administration's efforts to build up an all-American trade policy is spreading the fire faster than the good-neighbor policy can put it out.

Perhaps it was not without cause that Governor Landon was reserved to give the final reassurance to Latin America that the policy of this administration would not be changed by the next one. The good-neighbor policy has not been in effect very long, and Latin America has not yet forgotten dollar diplomacy and the marines. In my opinion, Governor Landon's closing speech at Lima was the greatest effort of his life and raised him, or ought to raise him, to a place in the estimation of the American people greater than he has heretofore enjoyed—far greater than anything he did as a candidate for the Presidency.

The danger to America is not German, Italian, or Japanese battleships or airplanes. It is their program of infiltration of Latin America, much of it feeble democracies, some of them perhaps democracies in name only, fertile soil for totalitarian or authoritarian ideas of government.

A Colorado stock growers' convention met at Denver and bitterly denounced the Argentine trade treaty. One item was the importation of 50,000,000 pounds of canned beef in 6 months. That sounded formidable until you used a bit of mental arithmetic on it, which reduced it to 4 ounces per capita of our population—4 ounces in 6 months. Another item was the importation of 375,000 head of cattle from Canada, weighing over 700 pounds, in 1 year. That sounded equally bad until you broke it down into a domestic consumption of 20,000,000 head, or less than 2 percent. Yet the stock growers are inflamed with the idea that 4 ounces of canned beef and 2 percent of cattle on the hoof are destroying the livestock industry in the United States. The dairy industry



is being destroyed. Destruction is being dinned into the farmer's ears from 7 a. m. till midnight.

Nothing is said about the fact that nearly every automobile you see on the highways of Canada is built by General Motors, or Ford, or Chrysler. Nothing is said about a trade balance of a billion dollars in our favor the last year.

To my mind, these efforts to inflame the people of the United States and Canada against each other is regrettable. I have driven through Canada a lot. It is a mystery to my mind how the 10,000,000 people scattered through that great area, and living and producing under such comparable conditions to ours that you cannot tell which side of the line you are on, can break down the agricultural system of 130,000,000 people. It would be well for us, in my judgment, if we could cut out a lot of this unfounded and partisan ballyhoo and just mix a little sense into our calculations. I doubt if nine-tenths of the stuff unloosed here on the floor of the House makes any contribution whatever to the solution of the great questions involved. If we want America for Americans, we had better stop driving them to Europe and Asia. [Applause.]

#### STATEMENT WITH RESPECT TO VOTE

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KITCHENS. Mr. Speaker, on the last day of the last Congress I was present and voted on roll call 123, which was to override the veto of the President on H. R. 10530, to reduce the interest on farm loans. I desire the RECORD of today to show that fact.

#### EXTENSION OF REMARKS

Mr. MAGNUSON asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. PEARSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a communication received from the American Federation of Farm Bureaus.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein copy of letter addressed by me to Col. Francis Harrington, Administrator of the Works Progress Administration.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Daily Review.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LUDLOW asked and was given permission to extend his own remarks in the RECORD.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, I was a little late today coming on the floor of the House, but as I entered the Chamber I heard the name of our former illustrious Governor from Michigan mentioned and naturally became interested. At that time I heard reechoing through the Halls of this Congress the blasphemous, scurrilous, and uncalled-for campaign of the Republican Party in Michigan.

I want to lay before this House one question; and if the gentleman from Michigan will refrain for a minute from interfering, I would like to ask the Members of this House whether or not it was fair, honest, and just for the gentle-

man from Michigan, a Member of this House, to enter into the campaign in my congressional district and infer that I did not believe in a Divine Being, that I did not believe in religion, that I did not believe in the necessity of churches, that I did not believe in God and did not follow His guidance.

Mr. Speaker, I testify before this House that I have always believed in God. I have always believed in a Supreme Being. I have always believed in the necessity of churches. My good wife and family are living examples of my Christian faith. I have been raised by religious parents.

The gentleman from Michigan [Mr. HOFFMAN] attacked the record of the former Governor of Michigan, the Honorable Frank Murphy, with half truths and untruths. The real story behind the labor troubles in the State of Michigan and especially in Detroit and Flint has never been told. The public has never really been informed of the fine, honest, and able leadership of the former Governor during those labor troubles. Many statements have been carried in the newspapers. Many untrue statements have been made, such as the statements of the gentleman from Michigan this afternoon.

The Honorable Frank Murphy has been appointed to high and honorable office as a member of the President's Cabinet, to the office of Attorney General of the United States. His name has been submitted to the United States Senate for confirmation.

The gentleman from Michigan refrained from making any statements or any attacks on the former Governor's record until the subcommittee yesterday gave the Honorable Frank Murphy a clean bill of health without any hearings.

As a citizen of Michigan I am proud of the fact that the Honorable Frank Murphy, an illustrious citizen of my State, has been accorded that high honor. The people of the State of Michigan are grateful for his appointment. The people of the State of Michigan are grateful that the subcommittee of the Senate saw fit to offer him their unanimous endorsement without any hearings before that committee or questioning his record. I compliment the subcommittee on their action, but I think it was a mistake not to have hearings because of the fact that it gives unscrupulous politicians the opportunity to attack the record of the former Governor on the floor of the House and the Senate without offering him an opportunity to place the real truth in the record. The truth concerning the actions of the former Governor is the best answer to these scurrilous attacks. If the Senate committee would request him to appear before that committee and place into the record officially his record, his actions, and his reasons for handling the labor situation as he did they will be doing not only the Honorable Frank Murphy, not only the people of the State of Michigan, but the people of the United States, a real service. It would stop once and for all this unjustified and scurrilous attack on a clean, honest, and efficient record and administration. I have not discussed this matter with the Honorable Frank Murphy, and I know that it would please him to appear before any committee of the Senate and end these untruths and scurrilous attacks once and for all.

As I said, if this is not done it gives an opening for attacks on the floor of the House and the Senate on the man and his record without the opportunity to present his side of the case.

The Senate committee may have thought, and I believe they did, that they were doing justice to former Governor Murphy; but let us see what actually is happening and I believe will happen. If the appointment of the Honorable Frank Murphy as Attorney General is approved by the committee without any question and submitted to the floor of the Senate, attacks will be made such as were made on the floor of this House this afternoon. This will leave him in a position so as to be unable to answer these untruths and scurrilous attacks because he is not a Member of either body.

I say that the man who made those statements is the man who made the scurrilous attack on the former Governor of the State of Michigan here this afternoon, the very tactics that were used in the campaign that was carried on in the State of Michigan, leading the people to believe that just

because a man or woman might be carrying the label of a Democrat he was tainted with communism.

Mr. Speaker, my record in this House and my record during the campaign, when I refused the official endorsement of the Non-Partisan Labor League until such time as they would rid themselves of Communists and Fascists, stands as an open book. In a speech in my district this fall I made the following statement. I quote:

Sometime ago I accepted an invitation to speak before the Timber Workers' Conference at Ishpeming, August 27. I have always been interested in the labor movement and have voted consistently for liberal labor legislation. My record in Congress along those lines speaks for itself. I believe the laborer and his family are entitled to a more abundant life. As long as I am a Member of Congress I shall work and vote for the betterment of all the people.

I have spoken before the Non-Partisan Labor League and know that the rank and file of the league are neither Fascists nor Communists. Nor do they have any connection with either party, but are real, true, loyal American citizens, interested in good, clean, union organization. It is for this reason that I wish to make clear my reason for not appearing before the Timber Workers' Conference yesterday.

On Wednesday, August 24, an official of the Timber Workers' Union who is also an officer of the Non-Partisan Labor League appeared at my office in the city of Ironwood and informed me of the fact that the Non-Partisan Labor League had endorsed my candidacy for reelection. At that time he discussed plans for an Upper Peninsula conference. Participating in the discussion of the plans was a young man who was a stranger to me, but whom I recognized later as having seen before. After this young man took an active part in the formulation of the plan for the conference I questioned him as to his identity, and he then freely admitted that he was an officer—in fact, a national officer—of the Communist Party. He further informed me that he was taking part in the plans and activities concerning the Non-Partisan Labor League, but that, because of his affiliations with the Communist Party, he had to keep in the background.

I could then plainly see that the Communists were again boring from within for the purpose, in my opinion, of destroying this worthy and commendable labor movement, which, in my opinion, would bring about, because of the communistic activity, violence and disorder. I have condemned the vigilante activities in no uncertain terms and feel that those participating in vigilante activities should be prosecuted to the fullest extent of the law. I believe in law and order and feel that the laboring man will not cause any disturbance other than protecting his own rights unless interfered with by the Communists who want nothing but open revolution.

I will have nothing to do with any organization that will tolerate either communism or fascism.

I have, therefore, informed the officials of the Non-Partisan Labor League that until they purge themselves of the admitted known officials of the Communist Party, I do not care for the official endorsement. I welcome the support and endorsement of the individual members of the C. I. O., Workers' Alliance, American Federation of Labor, and all others who are real Americans, and urge them in the name of democracy, in the name of good government, to constitute themselves as a committee of one to see that the labor movement is kept clean of any taint of communism or fascism.

We are all aware of the fact that many in the world today are dissatisfied with the democratic form of government. We are told that democracy is inefficient, that it is vacillating, that it is slow moving and incompetent, that it cannot cope with the problems of the modern world. We know, too, that several nations have elected to discard the democratic way of life. One group, in popular parlance, has gone to the left; the other to the right. We know one group is communistic; the other group as fascist. We know, too, what has happened in the communistic and fascist nations. Personal freedom has disappeared; freedom of the press is gone; freedom of speech is gone; freedom of religion has been interfered with—the power of the state has been used to throttle individual initiative, racial hatreds have been excited, and national jealousies inflamed. Europe has been brought to the verge of another great catastrophe similar to that which engulfed the world in 1914, largely because of the willful action of the dictatorial states.

The question is, Do we in America have to choose between a dictatorship of communism or a dictatorship of fascism? The answer is emphatically no. There is a middle of the way between the two extremes, and that is the way of enlightened democracy. Mark you when I say enlightened democracy. America as a free nation cannot endure if we masquerade as we did in the 1920's, as a democracy, when in reality our state is a plutocracy, where the basis of power is wealth. We must have the substance as well as the form of democracy. There cannot be a dictatorship of wealth any more than there can be a dictatorship of the Communist or Fascist Parties. But an enlightened democracy can succeed; an enlightened democracy that is tuned to the needs, the desires, the hopes, and aspirations of the common man, the farmer, the small-business man, and the laborer. That is the government of the middle of the way; that is the government of the New Deal, of the Democratic Party, and Franklin D. Roosevelt. Among the features of the economic life of an enlightened democracy is a strong cooperative movement between labor and the farmer; a strong enterprise co-

operating with business in the interest of the common man is the embodiment of the American ideal of freedom. No instrument of American life is more truly democratic than our truly substantial, real American labor organizations. What we are trying to do in America is to build a nation that is economically strong, spiritually free, and at peace with the world. To these ends I dedicate myself as your Member in Congress.

During election campaigns you will find me preaching the principles of the Democratic Party, and urging all who are interested in true democracy to vote a straight Democratic ticket; but after the election, I have represented, and if reelected, will continue to represent, the 205,000 people in my district—that is the American way of doing business. As long as we have Democrats and Republicans we will have neither communism nor fascism.

Mr. HOFFMAN. Will the gentleman yield?

Mr. HOOK. No. The gentleman would not yield to me and I am not yielding to him.

Mr. HOFFMAN. I challenge the truth of those statements.

Mr. HOOK. The gentleman is not challenging anybody.

Mr. HOFFMAN. I am challenging the gentleman's statements.

Mr. HOOK. I will put a copy of the speech that the gentleman gave at that time in the RECORD. I had it taken down by a stenographer at the time it was delivered.

Mr. HOFFMAN. The gentleman will not find anything of that kind in it.

Mr. HOOK. Let me say this, I will quote from the speech. The speech was delivered on November 3, 1938, over radio station WJMS at Ironwood, Mich. I quote from the speech as follows:

It does not seem possible that any man who had the least particle of patriotism or love of home or country can follow such a course. Nevertheless, that is a New Deal rule and we in the southern part of the State are praying that you of this portion of Michigan will send to Washington not men who boast that they are "yes" men, not men who announce that they are glad to be rubber stamps, not men who secure the support of Communists—and the Communists you will remember have no ticket in Michigan at the election on November 8—not men who scoff at religion. Do not send to Congress the men who deny the existence of a Divine Being.

Further on in the speech it reads as follows:

We hope and pray that you will send men like Bennett, who would give industry a chance to create and give employment. We hope you will send men like Bennett, who believe in the future of this northland, who believe in continuing relief and work to those who need it, but who believe that that assistance should be ended as quickly as industry can give them a job. We hope you will send men like Bennett, who believe that industry can and will, if given a chance, take over all those who are capable of doing a day's work and pay them a living wage which will enable them to live as Americans have lived, men who will give real protection to the man who has a job. We hope you will send men like Bennett, who believe in the necessity of churches, who believe in religion and in a God whose guidance we shall and will follow.

Frank Murphy, I know, will be pleased to answer any questions put to him on his record as Governor of the State of Michigan. He handled the sit-down strikes to the satisfaction of the people, labor, and industry. It seems to me that Hoover handled a similar situation which ended in bloodshed and death of World War veterans. In handling the strikes in Michigan, thank God, not one life was lost nor one drop of blood spilled.

All we Democrats are asking is that you be fair and honest and not carry on a campaign on the floor of this House that is as rotten and low as was the campaign carried on throughout this Nation, and especially throughout the Midwestern and Western States in the last campaign. I say that the campaign carried on last fall was a disgrace to the leadership of the Republican Party. They tried to hand to the people the idea that because we were Democrats it necessarily followed that we were Communists. At least we carried on a campaign that was clean and we are not ashamed of it. In 1940 there will be a backlash of the campaign of 1938 to such an extent that in the State of Michigan we will elect 17 Democratic Congressmen, a Democratic Governor, and Democrats in every State office in the State of Michigan. The people of the State of Michigan will appreciate the Democratic administration after they have a taste of the



present Republican administration in Michigan and will not believe in your communistic statements.

Talk about blackjacking. Some tactics are worse than blackjacking. I believe it is about time, when we enter into political campaigns and when we discuss the record of men in public office, to do so on the issues, presenting them cleanly to the people, so that they can intelligently pass on the issues and stop these scurrilous, personal attacks and this scurrilous "red" baiting that has been going on.

It came down to the point where they even put up in the various districts signs on which were emblazoned in large letters, "Vote Christian, vote Republican." I ask you and I ask any of the Republicans in this House whether you can name any Democrat in this House who is not a Christian? That is the type of campaign that was carried on. In my opinion, it was born in the mind of Dr. Glenn Frank and the Committee of One Hundred, and it spread through the seven pivotal States and out to the west coast. But when the truth is told, the people will know the answer.

They called us "yes-men." My answer is that we are not "yes-men"; we are real, honest-to-goodness Members of Congress, doing what we think is right. As I see it, most of the candidates who raised the cry of "yes-men" were "no-men." They had no issue, they had no argument, and they had no platform. They vote "no" on every piece of liberal labor legislation. They vote "no" on every piece of progressive legislation. They vote "no" on every single solitary bill that will raise the standard of living of the great masses. They are just "no-men" in "no man's land." [Applause.]

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CHANDLER (at the request of Mr. COOPER) on account of illness in family.

#### ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, January 12, 1939, at 11 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

205. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 8, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Green Bay Harbor and Fox River, Wis., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 11, 1936 (H. Doc. No. 95); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

206. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Oswego Harbor, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted December 10, 1937 (H. Doc. No. 96); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

207. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Abba-poola Creek, Johns Island, S. C., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 13, 1937 (H. Doc. No. 97); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

208. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of White

River, Mo. and Ark., from Augusta to Clarendon, Ark., requested by resolution of the Committee on Flood Control, House of Representatives, adopted February 3, 1937 (H. Doc. No. 98); to the Committee on Flood Control and ordered to be printed, with an illustration.

209. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of channel to Island Creek, St. George Island, St. Marys County, Md., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 99); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

210. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Ouachita River, Ark. and La., with a view to constructing a canal to Felsenthal, Ark., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 10, 1938 (H. Doc. No. 104); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

211. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Mill Creek, Anne Arundel County, Md., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 100); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

212. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers and illustration, on a reexamination of Chowan River, N. C., and Blackwater Creek (River), Va., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted January 14, 1936 (H. Doc. No. 101); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

213. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 26, 1938, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Shark River, N. J., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 102); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

214. A letter from the president of the Georgetown Barge, Dock, Elevator & Railway Co., transmitting the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ending December 31, 1933; to the Committee on the District of Columbia.

215. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 8, 1938, submitting a report, together with accompanying papers, on a preliminary examination of waterway from Albany to Schenectady, N. Y., by way of Hudson and Mohawk Rivers, with a view to securing a depth of 27 feet and suitable width, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

216. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination of inland waterway from Delaware River to Chesapeake Bay, Del. and Md., with a view to dredging a turning basin in the vicinity of the Chesapeake Cruising Club docks at Chesapeake City, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

217. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Carter Lake,

Iowa and Nebr., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

218. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Clatskanie River and tributaries, Oregon, authorized by the Flood Control Act approved August 28, 1937; to the Committee on Flood Control.

219. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Batten Kill, N. Y., authorized by the Flood Control Act approved August 28, 1937; to the Committee on Flood Control.

220. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, submitting a report, together with accompanying papers, on reexamination of Crooked and Indian Rivers, Mich., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted September 25, 1937, and December 14, 1937; to the Committee on Rivers and Harbors.

221. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination and survey of Cranberry Island Harbor, Maine, authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

222. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination of channels at and near Hog Island, Va., with a view to their protection and preservation; also the protection of Hog Island and property thereon from erosion and storms, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

223. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Garden Creek, Mathews County, Va., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

224. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Benicia Harbor, Solano County, Calif., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

225. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Deschutes River and tributaries, Oregon, authorized by the Flood Control Act approved August 28, 1937; to the Committee on Flood Control.

226. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated October 19, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Greenvale (Fairweather) Creek, Lancaster County, Va., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

227. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to add certain public-domain land in Montana to the Rocky Boy Indian Reservation; to the Committee on Indian Affairs.

228. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex.; to the Committee on Indian Affairs.

229. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill for the relief of certain Indians of the Winnebago Agency, Nebr.; to the Committee on Indian Affairs.

230. A letter from the Acting Secretary of the Treasury, transmitting draft of a proposed joint resolution to authorize Commander Henry Coyle, United States Coast Guard, to accept the decoration and diploma of the Marine Medal of Class One (Gold), conferred upon him by the Government of Greece; to the Committee on Merchant Marine and Fisheries.

231. A letter from the Acting Secretary of the Treasury, transmitting draft of a proposed bill to simplify the accounts of the Treasurer of the United States, and for other purposes; to the Committee on Banking and Currency.

232. A letter from the Acting Secretary of the Treasury, transmitting draft of a proposed bill to authorize the mailing of pistols, revolvers, and other firearms capable of being concealed on the person to officers of the Coast Guard; to the Committee on the Post Office and Post Roads.

233. A letter from the Acting Secretary of the Treasury, transmitting draft of a proposed bill to adjust the compensation of the members of the National Advisory Health Council not in regular employment of the Government; to the Committee on Interstate and Foreign Commerce.

234. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 26, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Mississippi River between Missouri River and Minneapolis, with a view to improving the harbor at Red Wing, Minn., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted March 8, 1938, and the Committee on Commerce, United States Senate, adopted February 19, 1938 (H. Doc. No. 103); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

235. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill for the relief of Andrew J. Crockett and Walter Crockett; to the Committee on Claims.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANKIN:

H. R. 2287. A bill to increase annual payments to State and Territorial homes for veterans; to the Committee on Military Affairs.

H. R. 2288. A bill to amend section 504, World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

H. R. 2289 (by request). A bill to amend existing law to restore 100 percent of compensation previously payable to veterans under the World War Veterans' Act; to the Committee on World War Veterans' Legislation.

H. R. 2290 (by request). A bill to amend the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

H. R. 2291. A bill to amend the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

H. R. 2292. A bill to amend the World War Veterans' Act, 1924, as amended; to the Committee on World War Veterans' Legislation.

H. R. 2293. A bill to amend the World War Veterans' Act, 1924, as amended, and veterans' regulations affecting World War veterans; to the Committee on World War Veterans' Legislation.

By Mr. RAMSPECK:

H. R. 2294 (by request). A bill to provide shorter hours of duty for members of the Fire Department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CLASON:

H. R. 2295. A bill to grant to the Commonwealth of Massachusetts and to the city of Springfield, a municipal corporation duly established by law and located in the Commonwealth of Massachusetts, a retrocession of jurisdiction over the Gen-



eral Clarence R. Edwards Memorial Bridge, bridging Water-shops Pond in said Springfield, Mass.; to the Committee on Military Affairs.

By Mr. RANKIN:

H. R. 2296. A bill to restore certain benefits to World War veterans suffering with paralysis, paresis, or blindness, or who are helpless or bedridden, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. VAN ZANDT:

H. R. 2297. A bill authorizing the President of the United States of America to proclaim October 11, 1939, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

H. R. 2298. A bill to compel retirement at 65 years for employees under the Railroad Retirement Act; to the Committee on Interstate and Foreign Commerce.

By Mr. RICH:

H. R. 2299. A bill to promote safety in the operation of motor vehicles on the highways of the United States; to the Committee on Roads.

By Mr. JOHN L. McMILLAN:

H. R. 2300. A bill for the erection of a public building at McColl, S. C., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Washington:

H. R. 2301. A bill to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain married soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926; to the Committee on Pensions.

By Mr. O'CONNOR:

H. R. 2302. A bill for the construction of a fish hatchery on Bluewater Creek, near Fromberg, in Carbon County, Mont.; to the Committee on Merchant Marine and Fisheries.

By Mr. CROWTHER:

H. R. 2303. A bill authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. DALY:

H. R. 2304. A bill to amend paragraph (8) of section 1 of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HAVENNER:

H. R. 2305. A bill to authorize the Secretary of the Navy to proceed with the construction of a graving dock on San Francisco Bay, Calif.; to the Committee on Naval Affairs.

By Mr. HARNES:

H. R. 2306. A bill conferring jurisdiction upon the Court of Claims, with right of appeal to the Supreme Court of the United States, to hear, examine, adjudicate, and enter judgment in all claims which the Miami Indians of Indiana who are organized and incorporated as the Miami Nation of Indians of Indiana may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. THORKELSON:

H. R. 2307. A bill to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont.; to the Committee on the Judiciary.

By Mr. COFFEE of Washington:

H. R. 2308. A bill to repeal the act entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes," approved February 22, 1935, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. WALTER:

H. R. 2309. A bill to amend the act entitled "An act to provide conditions for the purchase of supplies and the mak-

ing of contracts by the United States, and for other purposes"; to the Committee on the Judiciary.

By Mr. ROBSION of Kentucky:

H. R. 2310. A bill to provide national flags for the burial of honorably discharged former service men and women; to the Committee on Military Affairs.

By Mr. ENGEL:

H. R. 2311. A bill to provide that flags to drape the caskets of veterans of any war may be available at all post offices; to the Committee on the Post Office and Post Roads.

By Mr. VOORHIS of California:

H. R. 2312. A bill to create a Division of Public Works and the office of Director of Public Works in the Department of the Interior; to promote opportunities for employment; and to provide for a planned program of public works; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 2313. A bill to amend the Railroad Retirement Act to provide retirement after 30 years of service and attaining the age of 60 years, with full annuities; to the Committee on Interstate and Foreign Commerce.

By Mr. KNUTSON:

H. R. 2314. A bill to protect producers, manufacturers, distributors, and consumers from the unrevealed presence of substitutes and mixtures in spun, woven, knitted, felted, or otherwise manufactured wool products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McGEHEE:

H. R. 2315. A bill to provide for the addition of certain lands to the Vicksburg National Military Park, in the State of Mississippi, and for other purposes; to the Committee on the Public Lands.

By Mr. MAHON:

H. R. 2316. A bill extending classified civil service to clerks or assistants in certain post offices of the third class; to the Committee on the Civil Service.

By Mr. MOTT:

H. R. 2317. A bill relating to the disposition of funds derived from the Coos Bay Wagon Road grant lands; to the Committee on the Public Lands.

By Mr. HARRINGTON:

H. R. 2318. A bill to divorce the businesses of production, refining, and transporting of petroleum products from that of marketing petroleum products; to the Committee on the Judiciary.

By Mr. McGRANERY:

H. R. 2319. A bill to establish a Division of Fine Arts in the Office of Education, Department of the Interior; to the Committee on Education.

By Mr. RANKIN:

H. R. 2320. A bill to provide domiciliary care, medical and hospital treatment, and burial benefits to certain veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion; to the Committee on World War Veterans' Legislation.

By Mr. GEHRMANN:

H. R. 2321. A bill to amend the Wisconsin Chippewa Jurisdictional Act of August 30, 1935 (49 Stat. L. 1049); to the Committee on Indian Affairs.

H. R. 2322. A bill for the investigation of the claims of individual Chippewa Indians of the Lake Superior Band now resident in Wisconsin, Minnesota, and Michigan; to the Committee on Indian Affairs.

By Mr. CONNERY:

H. R. 2323. A bill to adjust the rates of pay for charmen and charwomen in the Post Office Department and in the Postal Service and in all other departments and agencies of the Government; to the Committee on the Post Office and Post Roads.

By Mr. SWEENEY:

H. R. 2324. A bill to reclassify the salaries of watchmen, messengers, and laborers in the Postal Service, and to prescribe the time credits for service as substitute watchmen, messengers, and laborers, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Colorado:

H. J. Res. 92. Joint resolution making an additional appropriation for work relief and relief for the fiscal year ending June 30, 1939; to the Committee on Appropriations.

By Mr. ENGEL:

H. J. Res. 93. Joint resolution authorizing the President to proclaim October 11, 1939, General Pulaski Memorial Day; to the Committee on the Judiciary.

By Mr. FISH:

H. J. Res. 94. Joint resolution proposing an amendment to the Constitution of the United States empowering the people by a national referendum to draft citizens and aliens for military service overseas; to the Committee on the Judiciary.

By Mr. TREADWAY:

H. J. Res. 95. Joint resolution authorizing an appropriation for full payment of the approved schedules of prices for salvaged timber products purchased or to be purchased by the Federal Surplus Commodities Corporation, Northeastern Timber Salvage Administration, and for fire hazard reduction operations of the Department of Agriculture in the New England hurricane area, and for other purposes; to the Committee on Appropriations.

By Mr. PACE:

H. J. Res. 96. Joint resolution to redeem gin certificates; to the Committee on Agriculture.

By Mr. CONNERY:

H. J. Res. 97. Joint resolution to prohibit the use of supplies and equipment furnished by the United States to the National Guard while on service in connection with any labor dispute without express approval of the Secretary of War; to the Committee on Military Affairs.

By Mr. ROMJUE:

H. J. Res. 98. Joint resolution authorizing the issuance of a series of special postage stamps in honor of the Seventh World's Poultry Congress and Exposition; to the Committee on the Post Office and Post Roads.

By Mr. MOTT:

H. J. Res. 99. Joint resolution authorizing the erection of a memorial building to commemorate the winning of the Oregon country for the United States; to the Committee on Public Buildings and Grounds.

By Mr. DIRKSEN:

H. J. Res. 100. Joint resolution establishing a Federal Tax Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL:

H. J. Res. 101. Joint resolution requesting the President to proclaim October 9 as Leif Erikson Day; to the Committee on the Judiciary.

By Mr. BREWSTER:

H. Res. 48. Resolution to secure information regarding negotiations of reciprocal-trade agreements; to the Committee on Rules.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to consider their resolution dated November 17, 1938, relating to old-age assistance; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to consider their resolution dated November 19, 1938, with reference to the granting of public land for the maintenance of a colony for crippled children; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States to consider their resolution endorsing the proposed national-defense program of President Franklin Delano Roosevelt; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United

States to consider their resolution dated November 19, 1938, with reference to old-age assistance; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRADLEY of Michigan:

H. R. 2325. A bill for the relief of Herbert Therrien; to the Committee on Claims.

By Mr. BROWN of Ohio:

H. R. 2326. A bill granting a pension to Joseph H. Hulse; to the Committee on Pensions.

By Mr. BYRNS of Tennessee:

H. R. 2327. A bill for the relief of Mr. and Mrs. Joe T. Stephens; to the Committee on Claims.

By Mr. CLEVENGER:

H. R. 2328. A bill granting a pension to Catherine Goodrich; to the Committee on Pensions.

By Mr. COLE of Maryland:

H. R. 2329. A bill for the relief of certain persons who suffered damages occasioned by the establishment and operation of the Aberdeen Proving Ground; to the Committee on Claims.

By Mr. CONNERY:

H. R. 2330. A bill granting a pension to Margaret M. Tupper; to the Committee on Invalid Pensions.

H. R. 2331. A bill for the relief of Daniel J. Kenneally; to the Committee on Naval Affairs.

H. R. 2332. A bill for the relief of Herbert A. Locke; to the Committee on Military Affairs.

H. R. 2333. A bill granting the Distinguished Service Cross to Raymond P. Finnegan; to the Committee on Military Affairs.

H. R. 2334. A bill granting the Distinguished Service Cross to William A. Sullivan; to the Committee on Military Affairs.

By Mr. CROWTHER:

H. R. 2335. A bill for the relief of Dent, Allcroft & Co.; A. J. Baker Co., Inc.; and Horwitz & Arbib, Inc.; to the Committee on Claims.

By Mr. FLANNERY:

H. R. 2336. A bill to authorize cancelation of deportation in the case of Louise Wohl; to the Committee on Immigration and Naturalization.

By Mr. GILLIE:

H. R. 2337. A bill granting a pension to Catherine Keyser; to the Committee on Invalid Pensions.

H. R. 2338. A bill granting a pension to Adele Evans; to the Committee on Invalid Pensions.

H. R. 2339. A bill granting a pension to Grace V. Lawrence; to the Committee on Invalid Pensions.

By Mr. GUYER of Kansas:

H. R. 2340. A bill for the relief of Elizabeth Patterson; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 2341. A bill to authorize Maj. Andrew S. Rowan, United States Army, retired, to accept the Order Carlos Manuel de Cespedes tendered him by the Government of Cuba in appreciation of services rendered; to the Committee on Military Affairs.

By Mr. JARRETT:

H. R. 2342. A bill granting a pension to Mary M. Diehl; to the Committee on Pensions.

H. R. 2343. A bill granting an increase of pension to Mary O'Flaherty; to the Committee on Invalid Pensions.

By Mr. LYNDON B. JOHNSON:

H. R. 2344. A bill for the relief of James McConnachie; to the Committee on Claims.

By Mr. KILDAY:

H. R. 2345. A bill for the relief of R. H. Gray; to the Committee on Claims.

H. R. 2346. A bill for the relief of Virgil Kuehl, a minor; to the Committee on Claims.

H. R. 2347. A bill for the relief of Clarence Moten; to the Committee on Claims.



By Mr. LUCE:

H. R. 2348. A bill for the relief of John J. Mohr; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 2349. A bill for the relief of Presly Holliday, quartermaster sergeant, Quartermaster Corps, on the retired list, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. MASSINGALE:

H. R. 2350. A bill for the relief of A. C. Williams; to the Committee on Claims.

By Mr. MURDOCK of Arizona:

H. R. 2351. A bill for the relief of the San Francisco Mountain Scenic Boulevard Co.; to the Committee on Claims.

By Mr. PFEIFER:

H. R. 2352. A bill for the relief of Joseph P. Kinlen; to the Committee on Military Affairs.

By Mr. ROMJUE:

H. R. 2353. A bill granting a pension to Bettie Lee Lomax; to the Committee on Invalid Pensions.

By Mr. RICHARDS:

H. R. 2354. A bill for the relief of S. T. Enloe; to the Committee on Claims.

By Mr. RYAN:

H. R. 2355. A bill to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the St. Paul Foundry Co., St. Paul, Minn.; of the American Hoist & Derrick Co., St. Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.; to the Committee on Claims.

H. R. 2356. A bill for the relief of the International Grain Co., Inc.; to the Committee on Claims.

By Mr. SATTERFIELD:

H. R. 2357. A bill for the relief of Roscoe McKinley Meadows; to the Committee on Naval Affairs.

H. R. 2358. A bill for the relief of Alfred Joseph Wright; to the Committee on Claims.

H. R. 2359. A bill for the relief of Virginia A. Guthrie; to the Committee on Claims.

H. R. 2360. A bill for the relief of Penning R. Crawley; to the Committee on Claims.

By Mr. SCHAEFER of Illinois:

H. R. 2361. A bill granting an increase of pension to Katharina Reis; to the Committee on Invalid Pensions.

By Mr. SECCOMBE:

H. R. 2362. A bill granting a pension to Thomas M. Teeters; to the Committee on Invalid Pensions.

By Mr. SECREST:

H. R. 2363. A bill for the relief of the estate of Harvey T. Combs; to the Committee on Claims.

By Mr. SNYDER:

H. R. 2364. A bill granting a pension to Idella Wade; to the Committee on Invalid Pensions.

H. R. 2365. A bill granting a pension to Mary Harriet Hook; to the Committee on Pensions.

H. R. 2366. A bill granting an increase of pension to Margaret J. Hicks; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee:

H. R. 2367. A bill for the relief of John W. Oliver; to the Committee on the Civil Service.

By Mr. VINCENT of Kentucky:

H. R. 2368. A bill granting an increase of pension to Burley L. Van Fleet; to the Committee on Invalid Pensions.

By Mr. WARREN:

H. R. 2369. A bill granting a pension to Jethro H. Midgett; to the Committee on Pensions.

By Mr. WOODRUM of Virginia:

H. R. 2370. A bill for the relief of Frank C. Perkins; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

89. By the SPEAKER: Petition of W. & G. Foyle, Ltd., London, petitioning consideration of their petition dated November 14, 1938, with reference to duty on books; to the Committee on Ways and Means.

90. Also, petition of the city of Chicago, Ill., petitioning consideration of their resolution with reference to the Illinois Waterway system; to the Committee on Military Affairs.

91. Also, petition of W. L. Brown, Cobbtown, Ga., petitioning consideration of a petition with reference to voting privilege; to the Committee on the Judiciary.

92. Also, petition of the city of Camden, N. J., petitioning consideration of their resolution dated December 29, 1938, with reference to motorboat regulations; to the Committee on the Judiciary.

93. Also, petition of the National Society of New England Women, Ann Arbor, Mich., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

94. Also, petition of Hattie N. Rogers, Reading, Mass., petitioning consideration of a petition with reference to advertising and the sale of alcoholic liquors; to the Committee on the Judiciary.

95. Also, petition of the Board of Supervisors of the County of Nevada, State of California, petitioning consideration of their resolution with reference to House bill 4199, better known as the Townsend General Welfare Act; to the Committee on Ways and Means.

96. Also, petition of the Board of Supervisors of the County of Stanislaus, Calif., petitioning consideration of their resolution with reference to old-age benefits; to the Committee on Ways and Means.

97. Also, petition of the Daughters of the American Revolution, William Paterson Chapter, Paterson, N. J., petitioning consideration of their petition with reference to the Dies committee; to the Committee on Rules.

98. Also, petition of R. C. White, Reidsville, N. C., petitioning consideration of a petition with reference to control of the production and marketing of tobacco; to the Committee on the Judiciary.

99. Also, petition of the Board of Supervisors of the County of Plumas, Calif., petitioning consideration of their resolution dated June 6, 1938, with reference to insecurity in old age; to the Committee on Ways and Means.

100. Also, petition of the Board of Supervisors of Orange County, Calif., petitioning consideration of their resolution dated May 31, 1938, with reference to the Social Security Act; to the Committee on Ways and Means.

101. Also, petition of the Steel Workers Independent Union, Inc., of Indiana, petitioning consideration of their resolution with reference to workingmen in America having a dictator; to the Committee on the Judiciary.

102. Also, petition of William C. Hodges, Tallahassee, Fla., petitioning consideration of a petition with reference to Harry K. Thaw; to the Committee on the Judiciary.

103. Also, petition of the Board of Supervisors of Tulare County, Calif., petitioning consideration of their resolution with reference to immigration quotas; to the Committee on Immigration and Naturalization.

104. Also, petition of William A. Paul, Jr., Kimmswick, Mo., representing construction industries group of St. Louis, Mo., petitioning consideration of a petition with reference to the Works Progress Administration; to the Committee on Ways and Means.

105. Also, petition of the Group of Active Christians, petitioning consideration of their petition for the establishment of constructive journalism; to the Committee on the Judiciary.

106. Also, petition of the city of Seward, Alaska, petitioning the consideration of a thorough investigation of the railroad situation; to the Committee on the Territories.

107. Also, petition of the city of Dearborn, Mich., petitioning consideration of their resolution that Congress conduct a thorough investigation of interest rates charged by the Home Owners' Loan Corporation; to the Committee on Ways and Means.

108. By Mr. CURLEY: Petition of the Military Order of the Loyal Legion of the United States, urging registration by fingerprinting of all persons in the United States for record in a noncriminal file; to the Committee on the Judiciary.

109. Also, petition of the United Federal Workers of America, urging an investigation of the wages, leave, and retirement benefits for the laundry workers at West Point; to the Committee on Military Affairs.

110. Also, petition of the Military Order of the Loyal Legion of the United States, urging continuation of the work of the Dies committee; to the Committee on Appropriations.

111. By Mr. COFFEE of Washington: Resolution of the Western Washington Horticultural Association, of Sumner, Wash. (Henry J. Reynolds, secretary-treasurer; L. M. Jones, president), pointing out that Lee A. Strong, Chief of the Bureau of Entomology and Plant Quarantine, agreed March 17, 1936, he would "require sterilization of all narcissus bulbs that were offered for entry" and that on November 14, 1938, in Bureau of Entomology and Plant Quarantine Circular 482, said Mr. Strong revoked sterilization requirement in connection with Holland importations on the ground that cleanliness of Holland plantings and sanitary measures was now assured; insisting, however, that officials of the Department of Agriculture for 15 years have asserted that no dependence can be placed on inspection of dormant bulbs at port of entry; asserting that nothing has transpired during the last 2 years to insure that sanitary conditions in Holland will not permit the guaranty of bulbs free from disease and insect pests; and therefore urging that the order of Mr. Strong be rescinded; protesting bitterly against such order because the same was issued without notice or hearing and in violation of his agreement with the Senate Agriculture Committee; and urging that a hearing be called thereon in the event such order be not rescinded by the Senate Agriculture Committee; to the Committee on Agriculture.

112. Also, resolution of Fred Giesler, of Tacoma, Wash., and numerous associates, pointing out that there are weaknesses inherent in the profit system but that such weaknesses can be eliminated by proper legislation; to the Committee on Ways and Means.

113. By Mr. HALLECK: Petition of the citizens of Valparaiso, Ind., and vicinity, setting forth a declaration of policy on the subject of neutrality; to the Committee on Foreign Affairs.

114. By Mr. HAWKS: Petition of St. Bernard's Holy Name Society, of Watertown, Wis., protesting against any change in the present neutrality policy of the United States; to the Committee on Foreign Affairs.

115. Also, petition of the Dane County (Wis.) Chapter of the National Lawyers' Guild, urging that additional funds be appropriated for the continuance of the Works Progress Administration relief assistance; to the Committee on Appropriations.

116. Also, petition of the Common Council of the City of Beaver Dam, Wis., requesting that an appropriation of \$1,050,000,000 be made by the Congress for the continuance of Works Progress Administration work until June 30, 1939; to the Committee on Appropriations.

117. By Mr. LAMBERTSON: Petition of Rev. Joseph P. Reich and 21 other Marysville, Kans., citizens, urging our adherence to the general policy of neutrality; to the Committee on Foreign Affairs.

118. By Mr. LANDIS: Petition of certain citizens of Washington, Loogootee, Montgomery, and Cannelburg, Ind., urging the adherence of the United States to the neutrality acts passed by the Congress of the United States on August 31, 1935, and May 1, 1937, respectively; to the Committee on Foreign Affairs.

119. By Mr. SCHIFFLER: Petition of the Tyler County Teachers' Association, Middlebourne, W. Va., urging the passage of a bill proposing to prevent the retroactive application of any Federal tax upon the employees of the States and their instrumentalities; to the Committee on Ways and Means.

120. Also, petition of the Education Association of Hancock County, W. Va., urging the passage of a bill proposing to prevent the retroactive application of any Federal tax upon the employees of the States and their instrumentalities; to the Committee on Ways and Means.

121. Also, petition of the West Virginia State Education Association, of Charleston, W. Va., urging the passage of a bill to prevent the retroactive application of any Federal tax upon the employees of the States and their instrumentalities; to the Committee on Ways and Means.

122. By Mr. SMITH of Ohio: Petition of the Reverend Paul Vollrath and others, petitioning the Congress to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, and also to retain on our statute books the corollary principle of the same act and to extend the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

123. Also, petition of Isaac Tennant and others, of the Eighth Ohio District, petitioning Congress to effect the passage of the General Welfare Act; to the Committee on Ways and Means.

124. Also, petition of Mrs. Raymond Irey and others, petitioning Congress to adhere to the general policy of neutrality as enunciated in the act of August 31, 1935, and also to retain on our statute books the corollary principle of the same act and to extend the original act to include civil as well as international conflicts; to the Committee on Foreign Affairs.

## SENATE

THURSDAY, JANUARY 12, 1939

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Father of infinite mercies, before whom we bow in reverence and hold our peace: Keep us lowly in mind in the presence of life's mysteries, that with gentle wisdom we may be thankful for the gleams of light toward the true ordering of our steps. Deliver us, we pray Thee, from all self-seeking, and grant that with singleness of heart we may serve Thee to the benefit of our fellow men and the safety, honor, and welfare of our country.

And now, O gracious Father, hearken to the sigh of those who seem to have failed to do their best; quicken the throbs of aspiration in all youthful breasts; sanctify the night of sorrow to all who are bereft, and o'er the beds of pain and sickness may the angel of Thy presence spread his wings, for the peace and comfort of all sufferers, until Thou deliver them. We ask it in our Saviour's name. Amen.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 10, 1939, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Hess, one of his secretaries.

### CALL OF THE ROLL

Mr. LEWIS. Mr. President, I take the liberty of suggesting somewhat seriously to the distinguished Vice President, the presiding officer of this body, that in the military world it is customary, in accounting for absences—if there be any—to refer to the fact that "all are present, none missing, all accounted for."

I deplore the fact that upon this first occasion when I have the honor to reenter upon the duty of addressing myself to your honorable self on the subject of quorum, I must concede that I cannot make the assertion that "all are present, none absent." I deplore, sir, that the exigencies of politics in its inexorable fatality [laughter] have removed from our midst some of those for whom I have heretofore responded as "present." I am compelled to ask resort to the late election